

City Clerk File No. Ord. 16.091

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.091

TITLE: AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A LEASE WITH JERSEY CITYWIDE DEBUTANTE AND COTILLION ASSOCIATION FOR THE USE OF BLOCK 1409, LOT P, MORE COMMONLY KNOWN AS 81 GARFIELD AVENUE, FOR A COMMUNITY GARDEN

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City ("the City") is a Municipal Corporation of the State of New Jersey, with offices located at City Hall, 280 Grove Street in Jersey City; and

WHEREAS, the City is authorized to enter into lease agreements for nominal consideration with non-profit corporations or associations for the use of vacant lots and open spaces for gardening or recreation purposes pursuant to N.J.S.A. 40 A:12-14(c) and N.J.S.A. 40 A:12-15(j); and

WHEREAS, the City adopted Ordinance 96-123, subsequently amended by Ordinances 01-109 and 11-019, which authorized the establishment of an "Adopt-a-Lot" Program; and

WHEREAS, the City owns Block 1409, Lot P on the official tax map of the City and which is more commonly known as 81 Garfield Avenue; and

WHEREAS, Block 1409, Lot P is a lot suitable for gardening and such use will transform this vacant lot which are currently filled with weeds and debris and improve and enhance the area and; and

WHEREAS, the Jersey Citywide Debutante and Cotillion, is a non-profit corporation with offices located at 19 Merritt Street in Jersey City and which seeks to lease Block 1409, Lot P pursuant to the City's "Adopt A Lot Program" in order to create a community garden thereon; and

WHEREAS, the Jersey Citywide Debutante and Cotillion ("the Lessee") understands that the properties leased to non-profit corporations or associations participating in the City's "Adopt-a-Lot" program are to be used for gardening and for no other purpose whatsoever and In particular may not be used for any commercial, business trade, manufacture, wholesale, retail or any other profit-making enterprises; and

WHEREAS, the Lessee understands that no cultivation of any fruit and vegetables shall be permitted directly in the lot soil, but rather any such edible produce must be grown in above-ground pots; and

WHEREAS, the Lessee also understands that it must submit an annual report to the officer, employee or agency designated by the governing body, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law; and

WHEREAS, the lease term will be for one (1) year beginning as of July 5, 2016 and ending July 4, 2017 subject to the City's right to terminate the lease at its convenience without cause by providing ninety (90) days prior notice; and

WHEREAS, the consideration for the lease shall be one dollar (\$1.00) a year and other good and valuable considerations; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The Business Administrator is hereby authorized to execute a lease of Block 1409, Lot P on the official tax map of the City and more commonly known as 81 Garfield Avenue, with the 'Jersey Citywide Debutante and Cotillion' Association, for the purpose of creating a community garden thereon through the City's "Adopt A Lot Program".
 2. The term of the Lease Agreement shall be one (1) year commencing as of July 5, 2016 and terminating on July 4, 2017 one dollar (\$1.00) a year.
 3. The form of the Lease is attached hereto and shall be subject to any such modification as may be deemed necessary or appropriate by the Corporation Counsel or Business Administrator.
- A. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

EXHIBIT A



ADOPT-A-LOT LEASE

This Lease is issued by the City of Jersey City "City" to _____ ("Lessee") with offices located at _____ for the operation of an Adopt-A-Lot Garden located at _____ (address) on Block _____ and Lot(s) _____ ("the Garden"). This Lease shall be administered jointly by the Department of Health and Human Services ("HHS") and the Department of Public Works ("DPW") through the Adopt-A-Lot Program Officer ("Officer"), with an office located at 199 Summit Avenue, Jersey City, New Jersey 07306.

1. Term

This Lease is issued to Lessee for a term (the "Term") of one (1) year beginning _____ and ending _____ unless terminated earlier. The Lease may be renewed by the Municipal Council upon the recommendation of the Adopt-A-Lot Program Officer provided that the Lessee meets the obligations set forth in this Lease.

2. Notices and Contact Person

All correspondence, including notices of non-compliance, shall be sent to the person designated as the "Contact Person" by the Lessee.

Lessee: _____

Contact Person for Lessee: _____

Address: _____

Telephone numbers:

Day: _____

Evening: _____

Weekend: _____

Email address: _____

Lessee shall promptly notify the Adopt-A-Lot Program Officer of any change in the contact information provided above. Notice to the listed Contact Person shall be deemed notice to the Lessee.

3. Obligations of Lessee/Use of Premises

- A. This Lease is specifically entered into for the purpose of Lessee's designing and cultivating a plant garden and thereafter maintaining that garden and all plants and structures contained therein (including, but not limited to, the City-supplied shed, all the tools contained therein, any fence, raised plant beds, planters, tables, benches, and other ornamental items) in a safe and orderly condition.
- i. Before entering into a Lease, the prospective Lessee shall notify the Adopt-A-Lot Program Officer to arrange for an inspection the premises for the purpose of locating, and, if feasible, removing any dangerous debris, undergrowth, garbage, or other dangerous materials. If the Adopt-A-Lot Program Officer determines that a dangerous condition exists on the premises that cannot be remedied at a cost deemed reasonable by the Adopt-A-Lot Program Officer, then the City shall refuse to consummate the Lease.
 - ii. If a Lease is executed, the Lessee agrees to take possession of the following City-owned equipment for the exclusive use of the Lessee during the duration of the Lease. This equipment shall remain on the leased property at all times and shall be returned to the City in reasonably good condition at the expiration of the Lease.

One (1) Garden Shed which will contain the following:

- One (1) Wheelbarrow
- Five (5) Poly leaf rakes
- Five (5) Garden spades (20 inch)
- Five (5) Garden shears (5.5 inch)
- Five (5) Hand-held gardening forks
- Five (5) Pitchforks
- Five (5) Hand-held trowels (steel)
- Five (5) Hand-held garden cultivators
- Five (5) Loppers (28 inch)
- Five (5) Pairs of gardening gloves

- B. Within two months of the issuance of this Lease, or sooner if applicable, Lessee agrees to do the following:
- a. At least two representatives, one being the Contact Person, shall attend an educational workshop, and shall submit proof of such attendance to Adopt-A-Lot Program Officer.

- b. Lessee shall post a sign provided by DPW at the Garden explaining that the Garden is a part of the Adopt-A-Lot Program.
 - c. Lessee shall register the Garden with the City's Adopt-A-Lot Jersey City online Green Map.
- C. Within six months of the issuance of this Lease, or sooner if applicable, Lessee agrees to the following:
 - a. Lessee shall design and install a plant garden.
 - b. Lessee shall nurture and develop the plants in the Garden, including watering, fertilizing, pruning, weeding, and harvesting as required. Any spray or liquid fertilizers or herbicides must be approved by DPW, and notice given to DPW prior to application. DPW reserves the right to determine and prohibit an environmentally harmful fertilizer or herbicide.
 - c. Gardens are required to post signage listing open hours, a schedule of planned activities, and information on how to join the garden, along with the name and telephone number of the Lessee's contact person and/or the Officer.
 - d. Lessee shall open the Garden to the public, as required by Section 8.
 - e. Lessee shall make gardening plots available to the public on a first come first serve basis, through the use of a waiting list to be posted at the Garden.
- D. Upon execution of the Lease, the Lessee agrees to the following:
 - a. Lessee shall maintain the Garden in a safe condition and take care of all plants and structures contained therein, including all fences, raised beds, tables, benches, and ornamental items.
 - b. Lessee shall keep sidewalks, passageways, and curbs adjacent to and within the Garden clean and free from snow, ice, garbage, debris, and other obstructions.
 - c. Lessee shall comply with all applicable laws, rules, and regulations of the United States, the State of New Jersey, and the City of Jersey City, and with other such rules, regulations, orders, terms and conditions as may be set or required by the Adopt-a-Lot program to the extent that they relate to the gardening activities under this Lease or are otherwise applicable to the Lease.
 - d. Lessee shall arrange for the provision of, and pay for any utilities, with the exception of water, necessary for the performance of the activities described herein; provided

however that Lessee shall neither cause nor permit the installation of any such utilities without the prior written approval of the Adopt-A-Lot Program Officer.

- e. Provide two reports each year to the Adopt-A-Lot Program Officer, one in June and one in December, containing the current status of the Garden including, but not limited to, a current color photo, a list of current Garden members, and any current concerns or problems that the Lessee believes the Adopt-A-Lot Program Officer should be made aware of or a problem fulfilling any of the requirements specified in this lease.
- f. Lessee shall continually update City's Adopt-A-Lot Jersey City online Green Map with all events, fundraisers, and public hours.
- g. Lessee shall participate in an annual "Green Your Block" program. Lessee shall notify the Adopt-A-Lot Program Officer with the date and time of the event, as well as post notice of the event at the Garden and on the City's Adopt-A-Lot Jersey City online Green Map.
- h. Lessee shall notify the to the Adopt-A-Lot Program Officer of any administrative or operational matters constituting any loss, injury, damage or violation within the garden within three days of such occurrence by contacting the to the Adopt-A-Lot Program Officer.

4. Restrictions on Lessee

Lessee agrees to the following restriction on the use of the Garden:

- A. No permanent improvements on the Garden. This prohibition includes but is not limited to paving the Garden concrete, asphalt or other materials.
- B. The Lessee shall make no alterations, additions, or improvements to the Garden without the prior written consent of the to the Adopt-A-Lot Program Officer.
- C. No permanent structures or murals or other permanent works of art may be built in the Garden without permission from the Adopt-A-Lot Program Officer, and, where applicable, the DPW, Jersey City Building Department and the Jersey City Division of Cultural Affairs.
- D. No automobiles, trucks, or other motorized vehicles may be stored or parked at any time in the Garden.
- E. There shall be a minimum of five (5) Garden members at all times.
- F. No persons shall be allowed to reside in the Garden.
- G. No animals (including dogs or cats) shall reside in the Garden.

- H. No drugs or alcohol may be used, consumed, stored, sold, or distributed in the Garden.
- I. Garden shall not be used for any commercial purpose (including, but not limited to, the sale or advertisement of any goods or services): provided, however, that the City may allow, with prior notice to the Officer, Fundraising events at the Garden solely for the purposes of supporting the operation of the Garden. No agricultural produce cultivated at the Lot may be grown in the soil. Rather it must be grown in an above-ground pot. All agricultural produce cultivated at the Garden may be sold offsite at a designated Jersey City Farmer's Market.
- J. Lessee shall not create no suffer to be created any nuisance or danger to public safety in or around the Garden. Lessee shall not cause nor permit the accumulation of garbage or debris in the Garden. Lessee shall not commit or cause any waste of or to the Garden.
- K. Lessee shall not sub-let the demised premises for gardening or recreational purposes pursuant to N.J.S.A. 40A12-15(I). Lessee shall not use or permit the premises to be used for any other purpose without the prior written consent of the City endorsed hereon.
- L. Lessee may not discriminate in any way against any person on grounds of race, creed, religion, color, sex, age, national origin, disability, marital status, or sexual orientation.
- M. Lessee may not cause or permit gambling or any activities related to gambling in the Garden, or the use of the Garden for any illegal purpose.
- N. If Lessee ceases to use the property for gardening or recreational purposes, the City shall have the right to terminate the lease upon giving ten (10) days written notice to Lessee prior to the effective date of termination.
- O. Lessee shall not use or permit the storage of any illuminating oils, oil lamps, turpentine, benzene, naptha, or similar substances or explosives of any kind or any substances or items prohibited in the standard policies of insurance companies in the State of New Jersey.
- P. Lessee shall not abandon the Garden.

5. Failure to Comply with Restriction and Termination

If Lessee violates any covenant or conditions of this Lease or of the rules established by the City, and upon failure to discontinue such violation within ten (10) days after notice to the Lessee, this Lease shall, at the option of the City, become void. Notwithstanding the above, the City may terminate this Lease without advance notice for any of the following reasons:

1. Use of the Garden for any illegal purpose, including, but not limited to use of drugs, alcohol, gambling, or other illegal activity, or conspiracy to commit same;
2. Creation of danger to the neighborhood, whether through inadequate sanitation, including accumulation of garbage, existence of a fire hazard, or any other condition which may cause harm to the Garden or other persons or property in its vicinity;
3. the City ceases to be the fee owner of the Garden.

The City shall have the right to terminate the Lease at its convenience without cause by giving written notice sixty (60) days prior to the effective date of termination. The City shall have no liability of any nature whatsoever by reason of such termination.

6. Access

- A. Gardens are required to keep their gates open for a minimum of twenty (20) hours per week from the first day of May through and including the thirtieth day of November. This can be achieved through posted open hours, community events, workdays, workshops, and all activities that keep gardens open and accessible to the public. Gardens are required to post signage listing open hours, a schedule of planned activities, information on how to join the Garden, along with the name and telephone number of the Lessee's contact person and the Adopt-A-Lot Program Officer. The Adopt-A-Lot Program Officer may conduct spot checks to see that the required public access is maintained, and if the Garden is not open at the designated time, the City may terminate this Lease.
- B. The City and its representatives, i.e. the DPW, the Police and Fire Departments, and other City agency representatives shall have access to the leased premises at all times for any purpose.

7. Return of City Property and Surrender of the Garden

Lessee shall surrender the premises at the end of the term in as good condition as reasonable use will permit. In the event that the lease is terminated or expires, the Lessee shall remove all temporary improvements installed on the property by the Lessee at its own cost or expense. Lessee shall also return all tools referenced in Section 3(A)(ii) of this Lease and other unused items provided by the City, to DPW within thirty days of receipt of a notice of termination.

If the Lessee shall remain in the premises after the expiration of the term of this Lease without having executed a new written Lease with the City, such holding over shall not constitute a renewal or extension of this Lease. The City may treat the Lessee as one who has not removed at the end of his/her term, and thereupon be entitled to all remedies against the Lessee provided by law in that situation, or the City may elect, at its option, to construe such holding over as a tenancy from month to month, subject to all the terms and conditions of this lease, except as to duration thereof.

8. Indemnification

The Lessee shall indemnify and hold the City and its officers, agents and employees harmless from any and all claims or personal injury, and property damage arising out of the Lessee's occupancy and use of the leased premises.

9. Risk Upon Lessee

The expenditures for gardening activities to be undertaken at Garden are to be made solely and exclusively at the risk and sole cost and expense of Lessee, and no part thereof is, or shall be, reimbursable by the City for any reason whatsoever. The gardening activities to be performed pursuant to this Lease were not and are not directed by the City, and the City assumes no obligation or responsibility nor shall have any liability, for any expenditure made hereunder.

10. Modification

This Lease shall not be modified or extended except in writing and when signed by both the City and Lessee. This instrument shall not be changed orally.

11. Conflict of Interest

Lessee warrants that no officer, agent, employee, or representative of the City of Jersey City has received any payment or other consideration for the making of this Lease and that no officer, agent, employee, or representative of the City has any personal financial interest, directly or indirectly, in this Lease.

12. Assignment

Lessee shall not sell, assign, mortgage or otherwise transfer, or sublicense any interest or right provided for herein, nor shall this Lessee be transferred by operation of law, it being the purpose and spirit of this agreement to grant this Lessee a privilege solely to the Lessee named herein.

13. Employees

All experts, consultants, volunteers or employees of Lessee who are employed by or volunteer their services to Lessee to perform work under this Lease are neither employees of the City nor under contract to the City and Lessee alone is responsible for their work, direction, compensation and personal conduct while engaged under this Lease. Nothing in this Lease shall impose any liability or duty to the City for acts, omissions, liabilities or obligations of Lessee or any person, firm, company, agency, association, corporation or organization engaged by Lessee as expert, consultant, independent contractor, specialist, trainee, employee, servant, or agent of for taxes of any nature including but not limited to unemployment insurance, workers' compensation, disability benefits and social security.

12. Waiver, Release and Consent Agreement

Prior to accessing or using the land, equipment or facilities provided, Lessee agrees to sign the "JERSEY CITY ADOPT-A-LOT WAIVER AND RELEASE OF LIABILITY/MEDICAL AUTHORIZATION & CONSENT" agreement provided by the City. Failure to do so constitutes a breach of this Agreement and, in particular, voids the promise by the City to indemnify Lessee as described in Section 8.

13. Representation

This lease contains the entire contract between the parties. No representative, agent, or employee of the City has been authorized to make any representations or promises with reference to the

within letting or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof shall be binding unless reduced to writing and signed by the Landlord and Tenant.

12. Severability

If any provision(s) of this Lease is held unenforceable for any reason, each and all other provision(s) shall nevertheless remain in full force and effect.

13. Choice of Law

This agreement shall be governed by and constructed in accordance with the laws of the State of New Jersey. Any dispute arising under or in connection with this agreement or related to any matter which is the subject of this agreement shall be subject to the exclusive jurisdiction of the State and/or Federal courts located in New Jersey.

IN WITNESS WHEREOF, the parties hereto have cause this to be signed and sealed.

THE CITY OF JERSEY CITY

ADOPT-A-LOT PROGRAM OFFICER

ATTEST: _____

CITY CLERK

DATE: _____

LESSEE

AUTHORIZING OFFICIAL/TITLE

ATTEST: _____

DATE: _____

City Clerk File No. Ord. 16.092

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.092

TITLE: AN ORDINANCE AMENDING CHAPTER 69, (SPECIAL IMPROVEMENT DISTRICTS) ARTICLE II (CENTRAL AVENUE SPECIAL IMPROVEMENT DISTRICT)

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, N.J.S.A. 40:56-65 to 89 authorizes municipalities to create Special Improvement Districts by Ordinance; and

WHEREAS, Chapter 69 of the Jersey City Municipal Code authorizes the creation of the City's Special Improvement Districts; and

WHEREAS, Article II of Chapter 69 authorizes the creation of the Central Avenue Special Improvement District; and

WHEREAS, the Central Avenue Special Improvement District Management Corporation asked that the Municipal Council amend Article II in order to provide better clarity.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 69, (Special Improvement Districts), Article II (Central Avenue Special Improvement District), shall be amended to read:

§ 69-15. - District established.

The Central Avenue Special Improvement District ("district") is hereby established.

§ 69-16. - District properties.

Subject to § 69-16.1 hereof, the district shall consist of all properties located on Central Avenue between Manhattan Avenue and North Street more specifically designated by tax blocks and lots and street addresses on Schedule A, attached hereto and on file in the office of the City Clerk.

§ 69-16.1. - Exempt property.

The following properties shall be exempt from the special assessment imposed on properties within the district:

- A. Properties which are used exclusively for residential purposes; and
- B. In the case of mixed-use properties, the portions of those properties used exclusively for residential purposes.

§ 69-17. - Annual assessments.

- A. All costs of development, construction and acquisition relating to the provision of improvements shall be financed by and assessed to properties especially benefited thereby, except exempt properties.

- B. All costs of improvements and maintenance, other than the costs of improvements and maintenance ordinarily incurred by the city out of general funds, shall be determined and approved pursuant to N.J.S.A. 40:56-80 or N.J.S.A. 40:56-85 as determined by the District Management Corporation.
- C. The above costs shall be collected as a special assessment against all properties within the district, except exempt properties.
- D. The Central Avenue Special Improvement District annual assessment rate ~~cannot exceed \$15 per linear foot of all building frontage~~ shall not exceed ten percent (10%) more than the prior year's assessment rate.

§ 69-18. - Reports; annual budget.

The Mayor, with the assistance and concurrence of the District Management Corporation, shall submit all reports and plans required by N.J.S.A. 40:56-80 and N.J.S.A. 40:56-89, together with a detailed annual budget as required by N.J.S.A. 40:56-84, to the governing body for approval.

§ 69-19. - District Management Corporation.

- A. Creation. There is hereby created the Central Avenue District Management Corporation (the "Corporation").
- B. Membership. The Corporation shall be composed of the following members: one nonvoting Council representative to be appointed by the Council, one nonvoting municipal agency head or designee appointed by the Mayor and seven Central Avenue business and/or commercial property owners to be appointed according to the bylaws of the District Management Corporation.
- C. Obligations. In addition to the obligations set forth in the Act, the Corporation shall file an annual audit of its books, accounts and financial transactions, which shall be filed with the governing body and the Division of Local Government Services pursuant to N.J.S.A. 40:56-88.
- D. Powers. In addition to the powers otherwise conferred upon it by the Act, the corporation shall have the power:
 - (1) To adopt bylaws for the regulations of its affairs and the conduct of its business and to prescribe rules, regulations and policies for the performance of its functions and duties.
 - (2) To employ such persons as may be required and fix and pay their compensation from funds available to the Corporation.
 - (3) To apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grant or donation of property or money.
 - (4) To make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the Corporation, including contracts with any person, firm, corporation, governmental agency or other entity.
 - (5) To administer and manage its own funds and accounts and pay its own obligations.
 - (6) To borrow money from private lenders or governmental entities for periods not to exceed 180 days.
 - (7) To fund the improvement of the exterior appearance of commercial properties within the district.
 - (8) To fund the rehabilitation of commercial properties in the district.
 - (9) To accept, purchase, rehabilitate, sell, lease or manage property in the district.
 - (10) To enforce the conditions of any loan, grant, sale or lease made by the Corporation; provided, however, that if the businesses in the district petition to dissolve the district, the city shall have the right to amend the current year budget and schedule fees/and or taxes in order to liquidate outstanding claims against the Central Avenue District Management Corporation.
 - (11) To provide security, sanitation and other services to the district supplemental to those normally provided by the city.

- (12) To undertake improvements designed to increase the safety or attractiveness of the district to businesses which may wish to locate there or to visitors to the district, including but not limited to litter cleanup and control, landscaping, parking areas and facilities, recreational and rest areas and facilities and those improvements generally permitted for pedestrian malls under N.J.S.A. 40:56-66, pursuant to pertinent regulations of the governing body.
- (13) To publicize the district and all of the businesses included within the district boundaries.
- (14) To recruit new businesses to fill vacancies and to balance the business mix of the district.
- (15) To organize and coordinate special business-related events in the district pursuant to pertinent regulations of the city.
- (16) To provide temporary decorative lighting to attract customers to businesses within the district boundaries.
- (17) To provide special parking arrangements for the customers of businesses within the district.
- E. Term of Corporation. The District Management Corporation and the Special Improvement District shall be dissolved in two years from their inception unless a majority of the members of the District Management Corporation voting at an annual a special meeting of the corporation vote to continue the Corporation and the Special Improvement District for an additional two five years. A vote to continue the Corporation and the district shall take place every two five years at an annual a special meeting of the corporation. If the District Management Corporation votes to continue the Corporation and the Special Improvement District, it must file a certified copy of the resolution authorizing the extension with the office of the City Clerk no later than thirty 30 days before the ordinance establishing the SID is scheduled to sunset. For purposes of this section, "members" means all commercial property owners and business owners within the district.

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

III. This Ordinance shall take effect at the time and in the manner as provided by law.

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All new material is underlined; words ~~struck through~~ are to be omitted. For the purposes of advertising only, new matter is **boldface** and repealed by *italics*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE AMENDING CHAPTER 69, (SPECIAL IMPROVEMENT DISTRICTS) ARTICLE II (CENTRAL AVENUE SPECIAL IMPROVEMENT DISTRICT)

Initiator

Department/Division	Municipal Council	Office of Councilman Michael Yun
Name/Title	Michael Yun	Councilman, Ward D
Phone/email	201-547-5485	myun@icnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

To make minor clarifications to the Section of the Municipal Code authorizing the Central Avenue SID.

I certify that all the facts presented herein are accurate.

Michael Yun

Date

City Clerk File No. Ord. 16.093

Agenda No. 3.C 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.093

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING THE SCATTER SITE REDEVELOPMENT PLAN

WHEREAS, the Scatter Site Redevelopment Plan was written to amend, rename and supersede the Vacant Buildings Redevelopment Plan and was most recently amended on October 28, 2015; and

WHEREAS, the Municipal Council seeks renewed investment and development within the redevelopment area; and

WHEREAS, the Municipal Council of the City of Jersey City, by Resolution 16.029, adopted January 13, 2016, authorized the Jersey City Planning Board to conduct a preliminary investigation to determine whether the Scatter Site Study Area 1 meets the criteria of New Jersey's Local Redevelopment and Housing Law, *NJSA 40A:12A-1 et seq.*, qualifying it as "an area in need of redevelopment," an "area in need of rehabilitation" and/or a "non-condemnation redevelopment area;" and

WHEREAS, the Planning Board, at its meeting of February 23, 2016, which was properly noticed as required by law, did conduct an investigation into the conditions affecting the property in question and did approve a motion to recommend to the Municipal Council that the referenced area be declared to be an area in need of redevelopment; and

WHEREAS, the Planning Board's recommendation is based on evidence presented to it and contained in the document entitled, *Report Concerning the Determination of Scatter Site Study Area 1 as an Area in Need of Redevelopment*, and on the testimony of interested parties attending said Planning Board meeting; and

WHEREAS, the Planning Board did find, and so recommends to the Municipal Council, that the area in question meets the statutory criteria, pursuant to NJSA 40A:12A-5.a., d., e. and h. to be declared an "area in need of redevelopment" with the authorization to use eminent domain also known as "Condemnation Redevelopment Area" pursuant to NJSA 40A:12A-6; and

WHEREAS, the Municipal Council at its meeting of March 9, 2016 voted favorably to declare the properties included in the *Report Concerning the Determination of Scatter Site Study Area 1 as an Area in Need of Redevelopment* as a Condemnation Redevelopment Area through Resolution 16.129; and

WHEREAS, language within the plan required clarification regarding uses and densities existing at the time of designation; and

WHEREAS, the Planning Board at its meeting of April 19, 2016 voted favorably to recommend amendments to the Scatter Site Redevelopment Plan to add properties listed in the *Report Concerning the Determination of Scatter Site Study Area 1 as an Area in Need of Redevelopment* to the Municipal Council and to add clarifying language regarding uses and densities existing at the time of designation; and

WHEREAS, a copy of the proposed amendments to the Scatter Site Redevelopment Plan is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

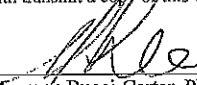
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the attached Scatter Site Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers,

article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.

- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Maryann Bucci-Carter, PP, AICP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: 

APPROVED: _____

Business Administrator

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
AMENDING THE SCATTER SITE REDEVELOPMENT PLAN**

Initiator

Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Director
	Willow Latham	Senior Planner
Phone/email	201-547-5010	maryannb@jcnj.org/ wlatham@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This ordinance amends the Scatter Site Redevelopment Plan to add properties listed in the *Report Concerning the Determination of Scatter Site Study Area 1 as an Area in Need of Redevelopment*, which were declared a Condemnation Redevelopment Area by the Municipal Council by Resolution 16.129 on March 9, 2016. The objective of this Plan is to reduce the amount of vacant buildings citywide.

The proposed lots for incorporation are consistent with the following addresses (Block, Lot): 461-463 Palisade Avenue (3001, 21-22), 454 Palisade Avenue (3002, 13), 364-366 Palisade Avenue (5101, 37-1), and 201 New York Avenue (3805, 19).

This amendment also includes clarification to existing language regarding uses and densities existing at the time of designation.

I certify that all the facts presented herein are accurate.


Signature of Division Director


Date


Signature of Department Director


Date

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: May 2, 2016
TO: Rolando Lavarro, Council President
FROM: Willow Latham, Planner
SUBJECT: Ordinance Amending the Scatter Site Redevelopment Plan

This ordinance amends the Scatter Site Redevelopment Plan to add properties listed in the *Report Concerning the Determination of Scatter Site Study Area 1 as an Area in Need of Redevelopment*, which were declared a Condemnation Redevelopment Area by the Municipal Council by Resolution 16.129 on March 9, 2016.

The proposed lots for incorporation are consistent with the following addresses (Block, Lot): 461-463 Palisade Avenue (3001, 21-22), 454 Palisade Avenue (3002, 13), 364-366 Palisade Avenue (5101, 37-1), and 201 New York Avenue (3805, 19).

This amendment also includes clarification to existing language regarding uses and densities existing at the time of designation, to set requirements for utilizing grandfathered rights and add bulk standards for such uses.

The objective of this Plan is to reduce the amount of vacant buildings citywide.

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING THE SCATTER SITE REDEVELOPMENT PLAN

This ordinance amends the Scatter Site Redevelopment Plan to add properties listed in the Report Concerning the Determination of Scatter Site Study Area 1 as an Area in Need of Redevelopment, which were declared a Condemnation Redevelopment Area by the Municipal Council by Resolution 16.129 on March 9, 2016.

The proposed lots for incorporation are consistent with the following addresses (Block, Lot): 461-463 Palisade Avenue (3001, 21-22), 454 Palisade Avenue (3002, 13), 364-366 Palisade Avenue (5101, 37-1), and 201 New York Avenue (3805, 19).

This amendment also includes clarification to existing language regarding uses and densities existing at the time of designation.

The objective of this Plan is to reduce the amount of vacant buildings citywide.

SCATTER SITE Redevelopment Plan

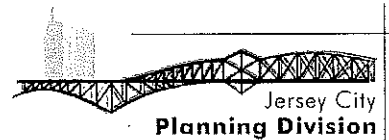
Adopted August 18, 1999*
Amended September 8, 1999*
Amended January 14, 2004*
Amended February 14, 2007*
Amended September 9, 2015*
Amended October 28, 2015
Amended April 5, 2016

*Formerly known as the Vacant Buildings Redevelopment Plan

PROPOSED AMENDMENTS TO BE PRESENTED TO THE PLANNING BOARD

Language added is bold and highlighted like **this**.

Language to be deleted is strikethrough like ~~this~~.



30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

INTRODUCTION

The purpose of the Scatter Site Redevelopment Plan is to foster the rehabilitation and redevelopment of vacant and dilapidated structures in order to bring them back into productive use -- as assets to the neighborhoods and contributors to the tax rolls. As properties are rehabilitated or redeveloped either through private or public investment, the Scatter Site Redevelopment Plan will be amended intermittently to remove productive properties from the plan.

On May 13, 2015, the Municipal Council of the City of Jersey City passed a resolution 15-318 authorizing the planning board to conduct a preliminary investigation to determine if the New Vacant Buildings Study Area (hereinafter referred to as the Study Area) qualifies as an area in need of redevelopment. Following such a determination, and adoption of such determination by the Council, it is required that a Redevelopment Plan also be adopted. This document is the proposed Redevelopment Plan (hereinafter referred to as the Plan).

I. BOUNDARY DESCRIPTION

The Redevelopment Area consists of scatter site properties throughout the City of Jersey City that were identified in the 2015 New Vacant Buildings Study Area; additionally, 28 properties previously included in the Vacant Buildings Redevelopment Plan are to remain in the Scatter Site Redevelopment Plan (Table 1). At a meeting held on August 19, 2015, the Municipal Council of the City of Jersey City adopted a Resolution (Number 15-582). Resolution 15-582 designated the study area referenced above, excepting floor amendments regarding 208 C. Columbus Drive, as an "Area in Need of Redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Table 1: Redevelopment Area Boundaries

ADDRESS	BLOCK	LOT
332 Whiton Street	19005	30
248 Grove Street	14103	54
18 McDougall Street	18704	12
67 Clerk Street	23301	15
165 Clerk Street	22701	9
163 Clerk Street	22701	10
9 Myrtle Avenue	23703	13
35 Dwight Street	25202	14
167 Armstrong Avenue	25601	13
329 Forrest Street	21101	26
182 Claremont Avenue	22503	58
81 Orient Avenue	22503	34
2131 Kennedy Boulevard	22303	30
142 Boyd Avenue	20502	58

ADDRESS	BLOCK	LOT
404 Palisade Avenue	3903	18
80 Bowers Street	2205	45
354 Ogden Avenue	2404	9
671 Palisade Avenue	1702	2
1023 Summit Ave.	2705	17
1021 Summit Ave.	2705	18
161 Bergen Ave.	23001	30
134 Bostwick Ave.	23103	37
232-234 Dwight Street	24905	31
94-96 Armstrong Avenue	25802	40
111 Armstrong Ave.	25701	19
299-301 Bergen Avenue	22404	18
68 Lexington Avenue	19301	39
669 Bergen Avenue	16502	28

ADDRESS	BLOCK	LOT
17 Brinkerhoff St.	16901	10
561 Communipaw Avenue	18603	18
746 Grand Street	18703	9
786-92 Grand Street	18801	13
21-25 Clinton Ave.	18801	5
27 Clinton Avenue	18801	4
26 Seidler Street	18503	33
622 Bramhall Avenue	18506	10
826 Ocean Avenue	19602	31
245 Randolph Avenue	19701	32
666 Ocean Avenue	22701	35

ADDRESS	BLOCK	LOT
34 Grant Avenue	23201	33
99 Clerk Street	23301	4
34 Center Street	13803	1
44 Center Street	13803	6
445 Mercer Street	12406	10
108 Storms Avenue	15004	28
71 Crescent Avenue	16902	31
461-463 Palisade Avenue	3001	21-22
454 Palisade Avenue	3002	13
364-366 Palisade Avenue	5101	1
201 New York Avenue	3805	19

II. TRANSPORTATION ACCESS

The Redevelopment Area consists of scatter site properties throughout the City of Jersey City. Several of the properties listed in this plan are within a half mile of a Hudson-Bergen Light Rail Station. Other properties are near or located along NJ Transit bus routes. In all, the properties that make up boundaries of this plan are all located in areas targeted for smart growth and have excellent access to major transportation nodes and job centers.

II. OBJECTIVES

Rehabilitation or redevelopment activities for the Scatter Site Redevelopment Plan area will be undertaken in conformity with, and will be designed to meet, the following objectives of the Redevelopment Plan:

1. Foster the rehabilitation and redevelopment of structures in order to bring them back into productive use -- as assets to the neighborhoods and contributors to the tax rolls.
2. Make sustainability and smart growth a theme of future development and redevelopment that guides land use and transportation decisions.
3. Provide for a wide variety of housing types, sizes, and price points that meet the needs of Jersey City's diverse population.
4. Encourage the adaptive reuse of existing structures.
5. Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
6. The removal or rehabilitation of vacated, deteriorated and obsolete structures.
7. Coordinate redevelopment activities to provide a uniform and consistent attack on blighted, dilapidated, and obsolete structures within the Area.

III. OTHER PROVISIONS TO MEET STATE REQUIREMENTS

- A. The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

1. This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by continuing efforts to stabilize and upgrade residential neighborhoods. This plan also encourages adaptive reuse of obsolete buildings; addresses substandard housing conditions and the need for housing rehabilitation; and seeks to maintain existing housing units through ongoing rehabilitation and renovation programs. The purpose of this plan is to provide unique, attractive, and high quality residential areas that serve existing residents while also attracting new residents by eliminating obsolete buildings.
2. This Redevelopment Plan does not provide new development standards for the Area. Instead, each site shall continue to utilize the use and bulk standards as provided for by the Jersey City Zoning Map and Land Development Ordinance or other Redevelopment Plan areas.
3. There will be no displacement of existing residents through the implementation of this plan through condemnation, as the purpose of this plan is to redevelop or rehabilitate only vacant structures. Condemnation is permitted, however, as this plan is an area in need of redevelopment.
4. ~~The following properties are listed~~ **All properties listed in Table 1: Redevelopment Area Boundaries are to be acquired in accordance with the plan.**

Table 2: Properties to be Acquired

ADDRESS	BLOCK	LOT
332 Whiton Street	19005	30
248 Grove Street	14103	54
18 McDougall Street	18704	12
67 Clerk Street	23301	15
165 Clerk Street	22701	9
163 Clerk Street	22701	10
9 Myrtle Avenue	23703	13
35 Dwight Street	25202	14
167 Armstrong Avenue	25601	13

ADDRESS	BLOCK	LOT
329 Forrest Street	21101	26
182 Claremont Avenue	22503	58
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2131 Kennedy Boulevard	22303	30
142 Boyd Avenue	20502	58
404 Palisade Avenue	3903	18
80 Bowers Street	2205	45
354 Ogden Avenue	2404	9
671 Palisade Avenue	1702	2

5. Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
6. and 7. No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

V. LAND USE AND DESIGN

- A. Because of the scattered site nature of this redevelopment plan, it is impractical to have a land use and design provision custom tailored to each parcel. Therefore, this Plan shall utilize the Municipal Land Development Ordinance and Redevelopment Plans, as amended, as the prevailing set of development regulations for all parcels

within this Plan. Each parcel will therefore fall under the provisions of their respective zone district or redevelopment plan, as found on the Jersey City Zoning Map. In addition, the following shall apply:

1. All parcels shall meet the following requirements:
 - a. Chain link fencing shall be prohibited on yards that abut the public right-of-way.
 - b. A minimum of one tree, that is a minimum of 3 to 3-1/2 inches in caliper, shall be planted for every twenty-five feet of street frontage.
2. Established non-conforming uses **at the time of designation per the Mod-IV Building Description Code or other evidence as provided for under section V.3 below** may utilize grandfathered rights for use and bulk standards for new and rehabilitated structures as determined by the Jersey City Planning Board.

For example:

A vacant lot zoned R-1, with a recorded Mod-IV Building Description Code of 3S-F-C-8U-NH at the time of designation, may elect to build up to 3 stories, up to 8 residential units and may include a ground-floor commercial use.

A vacant lot zoned R-1, with a 1939 Property Card indicating a total of 12 units on the property, may elect to build up to 12 units.

3. Bulk standards for historic non-conforming uses: When utilizing grandfathered non-conforming rights, evidence shall be provided to indicate the existing use and bulk for that property at the time of designation. Such evidence may include historic photographs, Jersey City property cards, Sanborn Maps, historic tax maps, etc. New bulk standards for such properties shall be based on such evidence on a case-by-case basis to the extent possible as determined by the Jersey City Planning Board.

Alternatively, if grandfathered rights are not utilized, the provisions of their respective zone district or redevelopment plan, as found on the Jersey City Zoning Map, shall apply.

Accessory uses permitted by the underlying zoning are also permitted when utilizing grandfathered rights.

VI. DENSITY

- A. The maximum permitted number of dwelling units per building shall be the number of dwelling units that are recorded for that particular ~~building lot~~, at the time of designation, by the municipal tax assessor.

- B. For all other parcels, where number of units cannot be determined by the municipal tax assessor, residential density shall be as provided for by the Municipal Land Development Ordinance or Redevelopment Area, as depicted on the Jersey City Zoning Map.

VII. LANDSCAPING REPLACEMENT

Any landscaping that is not resistant to the urban environment, or that dies within two (2) years of planting, shall be replaced by the developer.

VIII. GENERAL ADMINISTRATIVE PROVISIONS

- A. This Redevelopment Plan shall supersede all provisions of the Jersey City Land Development Ordinance that are specifically addressed herein. Provisions of the Jersey City Land Development Ordinance that are not specifically addressed herein shall be in full force and effect.
- B. Required compliance with zoning shall also comply with subsequent changes to the Land Development Ordinance.
- C. The Zoning map shall be amended to note that this Plan includes properties scattered throughout the municipality and shall at a minimum include an attached appendix that lists all properties that constitute this Plan.
- D. No building shall be constructed over public rights-of-way in the project area.
- E. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.
- F. As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on- and off-site improvements within one (1) year of final site plan approval.
- G. No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- H. All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA and building code minimum room size requirements prior to approval by the Planning Board.
- I. Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.
- J. DEVIATION REQUESTS

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. Deviations from the required retail use as per Section VII shall be considered a design waiver, cognizable by the Planning Board. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting:

- 1) A use or principal structure in a district which does not permit such use or principal structure;
- 2) An expansion of a non-conforming use;
- 3) An increase in height of more than ten feet or 10% of the height in feet, whichever is less.
- 4) An increase in the permitted floor area ratio;
- 5) An increase in the parking ratio of more than 10% above the maximum permitted;
- 6) Breach the minimum or maximum number of permitted stories.
- 7) Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;
- 8) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 9) Deviation from the Impact Fees provisions set forth in this Plan; or
- 10) Non-compliance with the specific goals and objectives enumerated in the Plan.
- 11) Planning Board may grant deviations from the required land use regulations in section VI to further the goals and objectives of this plan.

Any deviation in the above categories or any other deviation that would otherwise constitute a "d" type variance or deviation constitutes a request for a legislative plan amendment cognizable only by the Governing Body. The Jersey City Zoning Board of Adjustment's powers are strictly limited to "a" and "b" appeals (N.J.S.A. 40:53D-70A&B).

- K. Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.
- L. Severability: If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional,

such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

- M. This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$500.00 plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request by a private entity to amend this plan. The City of Jersey City reserves the right to amend this plan. Requests by property owners of rehabilitated buildings to remove such structures from this redevelopment plan shall not incur any fee.
- N. Interim uses may be established, subject to agreements between the developers and the Planning Board, that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses may include surface parking provided there is no ingress or egress onto Ocean Avenue itself. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

City Clerk File No. Ord. 16.094

Agenda No. 3.D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.094

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO PROVIDE STANDARDS
FOR THE R-2 ZONE AND SPECIFY REQUIRED COMMUNITY BENEFITS**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on March 24, 2016; and

WHEREAS, the Municipal Council of the City of Jersey City has, by Resolution 16-128, adopted March 9, 2016, declared the Bergen Hill Park Study Area as an Area In Need of Rehabilitation; and

WHEREAS, the Planning Board, at its meeting of May 10, 2016 determined that the Morris Canal Redevelopment Plan should be amended to include standards for the R-2 zone and required included community benefits for the Bergen Hill Park; and

WHEREAS, an objective of the plan is to encourage the redevelopment of vacant lands along Cornelison Avenue that is in a transitional use area, proximate to both industrial and residential uses; and

WHEREAS, the amendments will create obligations for community benefits of on-site affordable housing and open space improvements to the Bergen Hill Park; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Morris Canal Redevelopment Plan and Amended Map B is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

Proposed Morris Canal Redevelopment Plan Amendment

N. R-2 - Residential 2 Zone

This district shall encompass certain lands along Cornelison Avenue.

Purpose: To redevelop vacant sloped lands along Cornelison Avenue that is in a transitional use area, proximate to both industrial and residential uses. The Developer of Block 17102, Lot 17 will be required to fulfill certain performance standards, including but not limited to the obligation to provide the community benefits of on-site affordable housing and open space improvements to the Bergen Hill Park as described herein, for the successful implementation of the goals of redevelopment plan.

1. Permitted Principal Uses

- a. Residential above the ground floor.
- b. Park / Open Space is the only permitted use on Block 17102 Lot 1.
(No other permitted principal or accessory uses of this zone are permitted on this lot).

2. Permitted Accessory Uses
 - a. Off-street parking - partially or fully enclosed within a building
 - b. Improved open space or park
 - c. Community centers
 - d. Rooftop recreation and amenity space: recreation rooms, exercise rooms, residential meeting rooms, and other similar rooms and facilities for the use of buildings residents and/or tenants.
3. Lot Size and Dimension Requirements
 - a. All existing lots at the time of adoption of this plan are conforming lots but may not be reduced in size. The creation of flag lots shall be prohibited.
 - b. Subdivisions or lot consolidations must conform to the following minimum standards:
 - i. Minimum lot area: 2,500 square feet.
 - ii. Minimum lot width: 25 feet.
 - iii. Minimum lot depth: 100 feet.
4. Density and Height Requirements
 - a. Density is not regulated by floor area ratio or units per acre in this zone, but shall be limited by the maximum building height
 - b. Minimum floor-to-ceiling height on the ground floor shall be at least ten (10) feet.
 - c. Minimum floor-to-ceiling height for upper floors shall be at least nine (9) feet excepting drop ceilings for kitchens, hallways and bathrooms.
 - d. Maximum building height: 5 stories and 57 feet.
5. Yard and Coverage Requirements
 - a. Required front yard setback shall be sufficient to provide a ten foot sidewalk.
 - b. Minimum side yard setback: Zero feet
 - c. Minimum rear yard: thirty (30) feet
6. Parking Requirements
 - a. Minimum parking requirement: 1 space per dwelling unit
 - b. Tandem parking spaces are permissible.
 - c. When provided all ground floor off-street parking shall be screened by the building from any public right-of-way.
 - d. Lots less than 3,000 square feet in area are exempt from parking requirements.
7. Required Community Benefits – subject to the terms and conditions of a redevelopment agreement with the Jersey City Redevelopment Agency (JCRA), the developer of Block 17102, Lot 17 shall provide on-site affordable housing and complete open space improvements to the Bergen Hill Park known as Block 17102 Lot 1 on the Jersey City Tax Map.
 - a. The developer shall dedicate a minimum of at least 5% of all residential units constructed as affordable housing for a period of a


minimum of 30 years from the issuance of the certificate of occupancy, in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and pursuant to the terms of the redevelopment agreement which shall set forth the controls on affordable housing to be constructed as part of this redevelopment project.

- b. The developer shall design and construct improvements to the Park for its continued use as public open space.
- c. The developer shall submit a complete site plan for the Park to the Planning Board for review and approval as part of the development application for Block 17102, Lot 17.
- d. The design for the park shall include access by stairs and ramp from Cornelison Avenue at or near the "T" intersection opposite Westervelt Place.
- e. Other design elements for the park design shall result from one or more public charrettes which includes the Jersey City Parks Coalition and other neighboring community groups.
- f. Any public charrette regarding the park improvements shall occur in advance of the Planning Board hearing for this development to the satisfaction of the Planning Board.
- g. Final design of the park improvements shall be determined by the Planning Board.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Maryann Bucci-Carter, PP, AICP
Director, Division of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO PROVIDE STANDARDS FOR THE R-2 ZONE AND SPECIFY REQUIRED COMMUNITY BENEFITS

Initiator

Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Director
	Matt Ward, PP, AICP	Senior Planner
Phone/email	201-547-5010	maryannb@jcnj.org / mward@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

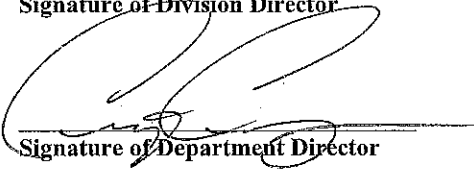
Resolution Purpose

The proposed amendments revise the R-2 Residential 2 Zone to provide standards. Currently, there are no standards delineated within the Redevelopment Plan for properties within this zone. The standards also require a developer of Block 17102, Lot 17 to fulfill certain performance standards, including the obligation to provide on-site affordable housing and open space improvements to the Bergen Hill Park.

I certify that all the facts presented herein are accurate.


Signature of Division Director


Date


Signature of Department Director


Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL
REDEVELOPMENT PLAN TO PROVIDE STANDARDS FOR THE R-2 ZONE
AND SPECIFY REQUIRED COMMUNITY BENEFITS**

The proposed amendments revise the R-2 Residential 2 Zone to provide standards. Currently, there are no standards delineated within the Redevelopment Plan for properties within this zone. The standards also require a developer of Block 17102, Lot 17 to fulfill certain performance standards, including the obligation to provide on-site affordable housing and open space improvements to the Bergen Hill Park.

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: 4/22/2016

TO: Council President Lavarro, Anthony Cruz, Robert Cotter

FROM: Matt Ward, PP, AICP

SUBJECT: Morris Canal Redevelopment Plan amendments

The proposed amendments revise the TOD-W zone of the Morris Canal Redevelopment Plan.

Currently, the Zone allows for a limited list of ground floor uses on blocks 15802 and 19003. This amendment would expand the list of permitted ground floor uses to include offices uses along Johnston Avenue and Retail along Maple Avenue. This amendment meets the objectives the plan which envisions a walkability mixed use neighborhood. This amendment also expands the opportunity for local businesses and employment in the Lafayette Neighborhood. Also, Maple street is envisioned as being the primary pedestrian connection to the nearby Light Rail Station and should permit a mix of ground floor uses. The amendments also proposes some corrections and clarification regarding setbacks and bulk standards.

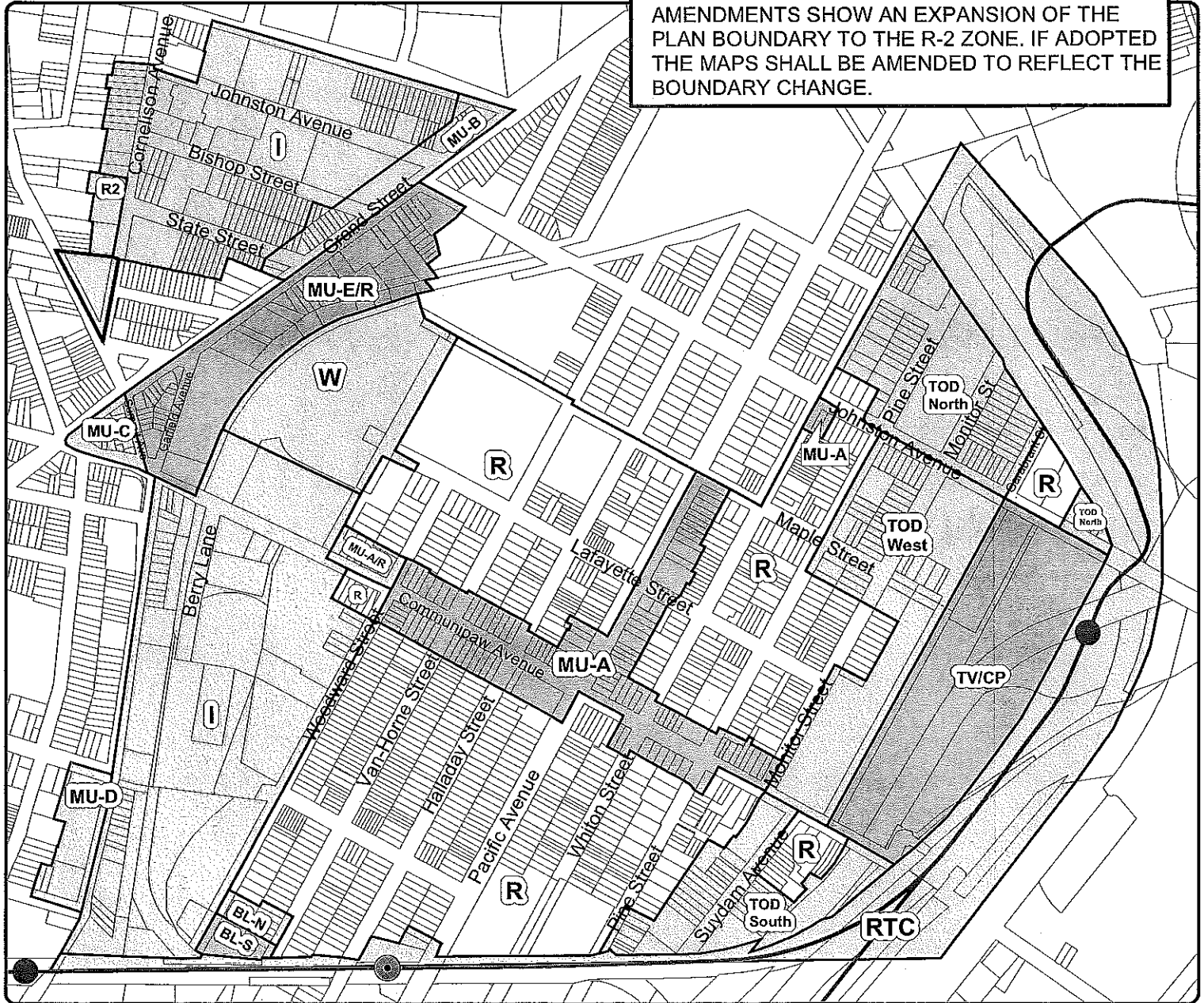
These amendments were sent to the registered community groups pursuant to the redevelopment plan on March 28, 2016 via certified mail. Additionally, These amendments were presented and discussed at a community meeting in early April 2016.

Amendments received favorable recommendations from the Planning Board for adoption.

Morris Canal Redevelopment Plan

Map B: Zoning

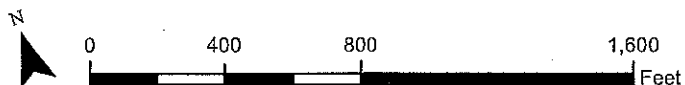
MAP AMENDMENT OUTLINED IN RED TO BE PROPOSED TO THE PLANNING BOARD. AMENDMENTS SHOW AN EXPANSION OF THE PLAN BOUNDARY TO THE R-2 ZONE. IF ADOPTED THE MAPS SHALL BE AMENDED TO REFLECT THE BOUNDARY CHANGE.



ZONE ABBREVIATIONS

R	Residential	MU-D	Mixed Use - D	BL-N	Berry Lane Park North
R2	Residential 2	MU-E/R	Mixed Use - E/Residential	BL-S	Berry Lane Park South
MU-A/R	Mixed Use - A or Residential	I	Industrial		
MU-A	Mixed Use - A	RTC	Rail Transportation Corridor		
MU-B	Mixed Use - B	W	Whitlock Cordage ARD		
MU-C	Mixed Use - C	TOD North			
		TOD South			
		TOD West			
		TV/CP	Transit Village / Commuter Parking		

— Hudson Bergen Light Rail
● Proposed Station



September 1, 2015

City Clerk File No. Ord. 16.095

Agenda No. 3.E 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.095

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE NINTH & BRUNSWICK REDEVELOPMENT PLAN
TO EXPAND PERMITTED USES**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Ninth & Brunswick Redevelopment Plan in December 2011, and amended the Plan subsequently, most recently on September 23, 2014; and

WHEREAS, the existing Plan anticipates a residential building with first floor retail and offices, however the applicant would like the Plan to also permit medical offices and financial services; and

WHEREAS, parking standards for the new uses have been established, as well as an optional provision for shared parking; and

WHEREAS, the Planning Board, at its meeting of May 10, 2016, determined that the Ninth & Brunswick Redevelopment Plan should be amended to establish permitted uses; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Ninth and Brunswick Redevelopment Plan, Specific Land Use Provisions made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

Proposed amendment to the Ninth and Brunswick Redevelopment Plan As presented to the planning board on May 10, 2016

Text to be added is bold and highlighted like this.

X. SPECIFIC LAND USE PROVISIONS

A. Permitted Uses

- Residential
- Parks/Public Open Space
- Public Utilities, except that natural gas transmission lines shall be prohibited

The following uses shall only be permitted on the ground floor, basement level, and the first full floor above base flood elevation:

- Offices
- Medical Offices
- Retail Sales and Services
- Restaurants, category one and two
- Child Care Centers
- Health clubs
- Schools
- Financial Services

B. Accessory Uses – customarily associated with, subordinate and incidental to the principal use, and located on the same lot:

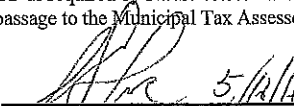
- Garage on-Site/off-street Parking & Loading Facilities
- Fences & Walls
- Signs
- Recreation rooms, exercise rooms, resident meeting rooms, roof top recreation areas, and other similar rooms and facilities for the use of building residents.

NO OTHER CHANGES.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Ninth & Brunswick Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Maryann Bucci-Carter, PP/FAICP
Acting Director, Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE NINTH & BRUNSWICK REDEVELOPMENT PLAN TO EXPAND PERMITTED USES.

Initiator

Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Acting Director
Phone/email	201-547-5010	maryannb@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The proposed amendments recognize that the redevelopment plan will permit medical offices and financial services on the ground floor, basement level, and/or first full floor above base flood elevation.

I certify that all the facts presented herein are accurate.


Signature of Department Director

5/14/16
Date

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: May 16, 2016

TO: Council President Lavarro, Anthony Cruz, Maryann Bucci-Carter

FROM: Tanya R. Marione, PP, AICP

SUBJECT: Ninth & Brunswick Redevelopment Plan amendment

The amendments before you for the Ninth & Brunswick Redevelopment Area are requested to expand list of permitted uses to include Medical offices and financial services on the ground floor, basement level, and/or first full floor above base flood elevation.

Summary Sheet:

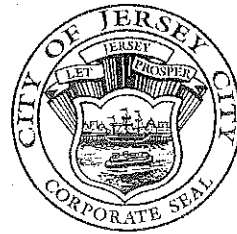
**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE NINTH & BRUNSWICK
REDEVELOPMENT PLAN TO EXPAND PERMITTED USES**

The proposed amendments recognize that the redevelopment plan will permit medical offices and financial services on the ground floor, basement level, and/or first full floor above base flood elevation.

City Clerk File No. Res. 16.096

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.096

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
TITLE: AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE FOR CHAPTER 345,
ARTICLE V, SECTION 40-R-1 ONE AND TWO FAMILY HOUSING DISTRICT AND CHAPTER
345, ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING REGULATIONS**

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, there is a need to allow for greater side yard setbacks to provide more light and air; and

WHEREAS, there is a need to remove the burden of requiring zoning board relief for existing non-conforming lots dimensions where no new land can be added; and

WHEREAS, the Planning Board voted to recommend adoption of this amendment by the Municipal Council at their May 10, 2016 regular meeting;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Jersey City Land Development Ordinance, be and is hereby amended as follows (Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted. Material indicated by bold italic *like this* is new material that is intended to be enacted):

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article V, Section 40 - R-1 One and Two Family Housing District. E. Bulk Standards for One and Two Family Dwellings

- 1. All existing lots of record at time of the adoption of this ordinance are considered conforming.**
- ~~1.~~ **2. Minimum Lot Size: Two thousand five hundred (2,500) square feet.**
- ~~2.~~ **3. Minimum Lot Width: Twenty-five (25) feet.**
- ~~3.~~ **4. Minimum Lot Depth: One hundred (100) feet.**
- ~~4.~~ **5. Front Yard Setback:**
Front yard setback shall match the setback of the Front Primary Façade (see Article I for definition of Front Primary Façade) of the closest permitted use on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the blockfront. A current signed and sealed survey of the subject property showing adjacent building setbacks on both sides along with photos showing the entire blockfront to the left and right of the subject property must be provided to the Zoning Officer as part of the application for a building permit. **[Amended 1-24-2007 by Ord. No. 07-009; 2-13-2013 by Ord.**

No. 13-010]

5. ~~6.~~ Side Yards:

a. ~~Minimum two (2) feet (one) five (5'1") feet (both) if adjacent dwelling is detached with side yard; where adjacent dwelling has zero (0) side yard (i.e., is built to the side lot line) then maximum 0.0 feet is required (i.e. new house must also be built to the side lot line); except where existing adjacent building has windows less than three (3) feet from the side lot line then three feet required starting from one foot in front of the first window to the rear building line. [Amended 3-14-2007 by Ord. No. 07-036; 1-29-2014 by Ord. No. 14-005]~~

b. ~~In the case of construction of two or more houses, maximum 0.0 feet required between all new houses in the row where the end house is adjacent to a dwelling with no side yard. Same standards shall apply to corner lots.~~

~~[Added 3-14-2007 by Ord. No. 07-03~~

a. Detached Buildings:

Minimum setback for One Side: Two (2 ft)

Minimum setback for Both Sides: Five feet One Inch (5'1")

b. Attached Buildings:

i. If adjacent building has zero (0) side yard setback (i.e., is built to the side lot line), a zero (0) feet side yard may be permitted (i.e., new house may also be built to the side lot line)

ii. In the instance the adjacent building has a zero (0) side yard setback but also has an existing window that is either directly on the side lot line or setback less than three (3) feet, the new building may still build to the zero (0) side lot line, starting at the front building line, but shall be required to setback the new building three (3) feet, starting from one foot in front of the existing window, to the rear building line.

c. All side yard setbacks three (3) feet or greater:

The side yard starting at the front of the building shall be enclosed with a fence constructed in compliance with the design standards in 345-67.B.

**Amendment to Jersey City Land Development Ordinance for Chapter 345,
Article V, Section 60 – Supplementary Zoning Regulations. V. Nonconforming
Uses, Structures and Lots. 5. Nonconforming Lots**

5. Nonconforming Lots.

- a. Any existing lot ~~on which a building or structure is located~~ and which lot does not meet the minimum lot size, or a structure which violates any yard requirements, may have additions to the principal building and/or construct an accessory building without an appeal to the Board of Adjustment, provided that: the total permitted lot and building coverage is not exceeded; the accessory building and/or any addition to the principal building do not violate any other requirements of this Chapter such as, but not limited to, height, setback and parking.
- b. Any vacant lot existing at the effective date of adoption or amendment of this Chapter whose area or dimensions do not meet the requirements of the district in which the lot is located may have a building permit issued for a use permitted for that zoning district without an appeal to the Board of Adjustment, provided that the building and lot coverage limit is not exceeded, parking requirements are met and the yard and height provisions are met and provided no adjacent lot is in common ownership.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Maryann Buccic-Carter, PP, AICP
Acting Director of Planning

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE JERSEY CITY LAND DEVELOPMENT
ORDINANCE FOR CHAPTER 345, ARTICLE V, SECTION 40-R-1 ONE AND TWO
FAMILY HOUSING DISTRICT AND CHAPTER 345, ARTICLE V, SECTION 60 –
SUPPLEMENTARY ZONING REGULATIONS**

Initiator

Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Acting Director
	Tanya R. Marione PP, AICP	Principal Planner
Phone/email	201-547-5010	tanyam@jcnj.org

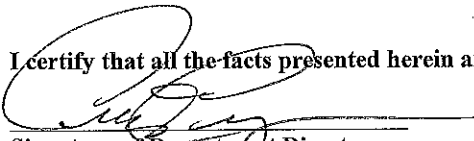
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This Ordinance amends Chapter 345-40 of the Jersey City Land Development Ordinance, regulating the R-1 One and Two Family Housing District, Bulk Standards for minimum size yard setbacks.

This Ordinance also will allow lots that are non-conforming, undersized, to be grandfathered and not be required to seek a variance for a lot dimension or area if all the other bulk standards can be met.

I certify that all the facts presented herein are accurate.


Signature of Department Director

5/16/16
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY CITY LAND DEVELOPMENT ORDINANCE FOR CHAPTER 345, ARTICLE V, SECTION 40-R-1 ONE AND TWO FAMILY HOUSING DISTRICT AND CHAPTER 345, ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING REGULATIONS

The amendment before you pertains to the Land Development Ordinance regulations for the R-1 One and Two Family Housing District (Chapter 345-40) and Supplementary Zoning (Chapter 345-60).

1. Currently, within the R-1 Zone if a lot is adjacent to a lot that has a building on the side property line, that new building on the adjacent lot is required to have a 0' setback. This amendment will allow the new building to setback 2' or 3' 1" to provide for more light and air for both properties, as an additional sideyard setback alternative.
2. Currently, the LDO allows an applicant to construct on an undersized lot that is vacant or has an existing house on it, to build new without requiring variances from the Zoning Board of Adjustment for lot dimensions, as long as all other bulk standards can be met. This amendment extends that to newly vacant lots as long as all other bulk standards can be met.

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: May 13, 2016

TO: Council President Lavarro, Anthony Cruz, Maryann Bucci-Carter

FROM: Tanya R. Marione, PP, AICP

SUBJECT: Amendments to the R-1 zone for side yard setback requirements and non-conforming lot sizes

The amendment before you pertains to the Land Development Ordinance regulations for the R-1 One and Two Family Housing District (Chapter 345-40) and Supplementary Zoning (Chapter 345-60).

1. Currently, within the R-1 Zone if a lot is adjacent to a lot that has a building on the side property line, that new building on the adjacent lot is required to have a 0' setback. This amendment will allow the new building to setback 2' or 3'1" to provide for more light and air for both properties, as an additional sideyard setback alternative.
2. Currently, the LDO allows an applicant to construct on an undersized lot that is vacant or has an existing house on it, to build new without requiring variances from the Zoning Board of Adjustment for lot dimensions, as long as all other bulk standards can be met. This amendment extends that to newly vacant lots as long as all other bulk standards can be met.

City Clerk File No. Ord. 16.097

Agenda No. 3.6 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.097

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDEMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN CONCERNING
PARCELS PREVIOUSLY DECLARED IN NEED OF REDEVELOPMENT**

WHEREAS, the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1) permits municipalities to adopt and amend redevelopment plans upon a finding that an area has been declared "in the need of redevelopment," or "in need of rehabilitation," or both; and

WHEREAS, on September 13, 1984, the City adopted Resolution # MC-9818 accepting the findings that the Journal Square Study Area is a "blighted area," declaring it an "area in need of redevelopment". Subsequently, in 1987, the Municipal Council adopted the Journal Square Redevelopment Plan which encompassed the blighted parcels. The Journal Square Redevelopment Plan was amended and expanded at various times to include additional parcels declared in need of redevelopment.

WHEREAS, on November 25, 2008 the Jersey City Municipal Council determined, by Resolution # 08-879, the Greater Journal Square Study Area to be an "area in need of rehabilitation"; and

WHEREAS, thereafter, on July 14, 2010, the Municipal Council of the City of Jersey City, adopted Ordinance #10-103, creating the Journal Square 2060 Redevelopment Plan, which included both the Journal Square Study Area, previously declared an "area in need of redevelopment" and the Greater Journal Square Study Area, declared an "area in need of rehabilitation"; and

WHEREAS, the following amendments to the Journal Square 2060 Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of May 10, 2016; and

WHEREAS, the following amendments explain that condemnation of property is permitted in areas declared in need of redevelopment prior to the adoption of the Journal Square 2060 Redevelopment Plan, as depicted in Map 7. Condemnation is not permitted in all other areas declared in need of rehabilitation only; and

WHEREAS, the Planning Board voted to recommend adoption of these amendments by the Municipal Council; and

WHEREAS, a copy of the amended text and map is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Journal Square 2060 Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Maryann Buccic-Carter, PP, AICP, Director of City Planning

APPROVED AS TO LEGAL FORM

APPROVED:

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN CONCERNING PARCELS PREVIOUSLY DECLARED IN NEED OF REDEVELOPMENT

Initiator

Department/Division	HEDC / JCRA	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Director
	Diana Jeffrey	
	Jeff Wenger, PP, AICP	Principal Planner
Phone/email	201-547-5010	maryannb@jcnj.org / jeff@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This ordinance amends the Journal Square 2060 Redevelopment Plan to clarify that certain parcels of land within the redevelopment plan area were declared "in need of redevelopment" and to re-establish an acquisition list and map for several of these properties.

I certify that all the facts presented herein are accurate.


Signature of Department Director

Date

5/16/16

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN CONCERNING PARCELS PREVIOUSLY DECLARED IN NEED OF REDEVELOPMENT

This ordinance amends the Journal Square 2060 Redevelopment Plan to clarify that certain parcels of land within the redevelopment plan area are declared "in need of redevelopment" and to re-establish the acquisition list and map for these properties, excepting property already owned by the City and subject to current litigation.

PROPOSED AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN

AS RECOMMENDED BY THE JERSEY CITY PLANNING BOARD ON MAY 10, 2016

Text that is unchanged is in plain face type like this.

Text that is deleted is in strike-through ~~like this~~.

Text that is added is in bold **like this**.

D) INTRODUCTION

On November 25, 2008 the Jersey City Municipal Council determined, by Resolution # 08-879, the *Greater Journal Square Study Area* to be an "area in need of rehabilitation," pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.). Previously, **several** portions of the Journal Square area were ~~also~~ declared to be an "area in need of redevelopment," called the *Journal Square Redevelopment Plan* originally adopted in 1974 and amended several times since.

This redevelopment plan focuses on Journal Square, the PATH rail station and bus depot, as well as the surrounding neighborhoods within walking distance, comprising an area of approximately 211 acres, 57 city blocks, and approximately 1600 individual parcels.

The purpose of the Journal Square 2060 Plan is to foster the redevelopment of Journal Square, Jersey City's central business district, by providing for transit oriented development of new housing, offices, commercial, and public open spaces within walking distance to the Square and transit facilities, returning Journal Square to a flourishing central business and shopping destination.

Since the mid 1950's, various plans in and around Journal Square were adopted by the Jersey City Municipal Council to address the adjacent air-rights development over the PATH rail cut and various development parcels in the vicinity of the Journal Square Transportation Center. Then in 2007, *Vision Journal Square* was prepared by A. Nelessen Associates, Inc. (ANA) and Dean Marchetto Architects, PC (DMA) in coordination the Jersey City Redevelopment Agency (JCRA) and the City of Jersey City. The process included multiple charrettes and public meetings, producing a comprehensive vision for the greater Journal Square area.

The Jersey City Master Plan lists several specific objectives and recommended actions which guide the standards and requirements for this plan. More

specifically, the award winning Jersey City Master Plan Circulation Element, *Jersey City Mobility 2050*, recommends that the City:

Develop and implement smart growth strategies that locate new residential development within walking distance of bus stops and passenger rail stations, with the highest density zones located within walking distance of passenger rail stations; that mixes residential land use with commercial land use;

Create meaningful public spaces that facilitate integration of the built environment with arterials and major transit routes;

Requirements to provide bicycle amenities for building users, such as interior bicycle storage facilities for residential buildings that are accessible without stairs or tight corners, and bicycle racks and employee showers for commercial buildings;

Parking space requirement maximums that reduce the number of permitted parking spaces in development near fixed rail transit stations in proportion to distance and inversely proportional to the intensity of development.

In addition, the NJ Department of Transportation and NJ Transit created the "Transit Village Initiative" to recognize municipalities that have demonstrated a commitment to revitalizing and redeveloping areas within walking distance of rail or bus facilities into compact, mixed-use neighborhoods that are consistent with Smart Growth principles. In 2005, the Journal Square area received designation as a Transit Village by an inter-agency Transit Village Task Force.

It now appears appropriate for the City to take a more pro-active approach to redevelopment in this Area, so as to bring the Area into greater compliance with the recommendations of the Master Plan. The Master Plan calls for "station areas" around Jersey City's mass transit facilities to be up-zoned to include higher density residential, neighborhood retail, restaurants and other uses compatible with a mixed use transit oriented station area. In addition, parking requirements are to be reduced "to capitalize on the availability of high quality mass transit" and to increase building coverage, floor-area-ratios, and residential density, which can be supported near transit facilities.

As Jersey City enters the 21st century, we wish to continue developing in a sustainable direction. This means focusing future development to areas where mass transit is available, reducing parking to limit traffic congestion and effects on air quality, requiring bicycle parking and wider sidewalks to limit automobile

use and promote alternative modes, requiring retail uses along pedestrian corridors to create an enjoyable and safe neighborhood environment, concentrating high density high-rise development along the major thoroughfares and immediately adjacent to mass transit facilities, preserving the most distinguished historic structures, and provide for design guidelines so that new development sits comfortably next to the historic fabric of this area.

Journal Square and its surrounding neighborhoods are not a blank slate. The existing physical structure of the Area is extremely varied. Building types range from detached two-family homes with generous front yards, to 4 to 6 story apartment buildings, office buildings, and commercial uses. This variety of uses and building types are all interwoven at a fine scale. Some streets are quiet and narrow, while others have intensive retail uses. This diversity need not inhibit the City from drafting new development guidelines. This redevelopment plan balances the need for new development at higher densities with the existing context of diverse and varied neighborhoods. To do this, this plan employs an approach to development that requires higher density projects to assemble sufficient development sites to accommodate building designs and forms that can reasonably fit into its surroundings while providing improved infrastructure. The Plan employs the use of building setbacks, sidewalk widening, open space and plaza provisions, contextual yard requirements, required retail uses, parking limitations and bicycle parking requirements, green building requirements, and design guidelines to assure that future development contributes to the sustainable future of Journal Square.

II) BOUNDARIES

- A) A map of the boundary, entitled, *Map 1: Boundary Map*, dated July 8, 2010 is attached and shall govern the boundaries of this redevelopment plan.
- B) The boundary of the Journal Square 2060 plan omits land on Blocks 6502 (formerly known as 593.1 and 628.1) which was authorized as part of the Greater Journal Square Study Area (Resolution 08-879). As this site has already been redeveloped under the St John's Redevelopment Plan and no substantive change to this site is currently contemplated, this area will not be included as part of the Journal Square 2060 Plan.
- C) The boundary of the Journal Square 2060 plan also omits land on Block 6401 and portions of Block 6701 and 8203 which are part of the Bergen Arches right-of-way and which were authorized as part of the Greater Journal Square Study Area (Resolution 08-879).

III) REDEVELOPMENT PLAN OBJECTIVES

Renewal activities for the Journal Square 2060 plan area will be undertaken in conformity with, and will be designed to meet, the following objectives of the Redevelopment Plan:

- 1) Re-establish Journal Square as a Jersey City's primary central business district and activity center.
- 2) Make sustainability a theme of future development and redevelopment that guides land use and transportation decisions.
- 3) Integrate open space into the Area by incorporating a system of parks, plazas, and natural amenities.
- 4) Promote a pattern of mixed and multiple-use development. New buildings within the Area should appropriately combine residential, commercial, and entertainment uses and encourage a balance of jobs-to-housing.
- 5) Make walking and biking an easy, safe, desirable, and convenient mode of transport.
- 6) Encourage local quality retail within the greater Journal Square area.
- 7) Reduce automobile dependency by encouraging high density development in close proximity to mass transit with low automobile parking ratios and with bicycle parking requirements.
- 8) Provide for urban amenities such as transit, housing variety, open space, and entertainment that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods.
- 9) Encourage the adaptive reuse of existing structures.
- 10) Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
- 11) The removal of vacated, deteriorated and obsolete structures.
- 12) The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- 13) Coordination of redevelopment activities, reinforcing already existing adjacent renewal programs and in accordance with the Master Plan for the City overall.
- 14) Provide for the conservation and preservation of select structures with historic or architectural significance, and provide opportunity for adaptive reuse for future generations.
- 15) Encourage the private sector to consolidate development parcels to allow for sufficient building setbacks providing, light and air to the street and adjacent properties.
- 16) Provide for redevelopment without public acquisition or relocation of residents and business concerns.
- 17) Provide for an active "front door" plaza entry way where Magnolia Avenue accesses the Journal Square PATH station, at the existing kiss-and-ride area.
- 18) To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.
- 19) Creation of major new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.

- 20) Coordinate redevelopment activities to provide a uniform and consistent attack on blighted, dilapidated, and obsolete structures within the Area.
- 21) To promote the principles of "Smart Growth" and "Transit Village" development, including a variety of housing choices, providing wider sidewalks, minimize automobile use by maximizing the appeal of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.
- 22) Maintain and improve pedestrian access to the Journal Square PATH Station from the surrounding communities.
- 23) To maximize the use of rooftop open space for recreation and/or green roofs.
- 24) Utilize setbacks, architectural design elements, and building massing regulation to maintain light and air to the street and adjacent properties.
- 25) All structures within the project area shall be designed and maintained so as to improve the visual impact of the Jersey City skyline as viewed from within and beyond the City's borders.
- 26) Provide for new transport systems such as a streetcar along Kennedy Blvd. and Bergen Avenues and a Bus Rapid Transit system connecting to Route 440.

IV) GENERAL ADMINISTRATIVE PROVISIONS

- A) No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.
- B) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.
- C) As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.
- D) SPLIT ZONED DEVELOPMENT SITES:
 - 1) For any consolidated development site which overlaps multiple zone districts, the zone that covers the largest portion of the site shall govern the entire development site. Zone 6, Zone 7, Zone 11, and Zone 12 are excluded from this split zone provision. All property within Zones 6, 7, 11, or 12 must be developed under the provisions of that zone.

- E) All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in the immediate area. A listing of the projects may be obtained from the Division of City Planning.
- F) No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- G) All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA minimum room size requirements prior to approval by the Planning Board.
- H) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City.
- I) Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.
- J) DEVIATION REQUESTS:

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. Deviations from the required retail use as per section IX shall be considered a design waiver, cognizable by the Planning Board. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting:

- 1) A use or principal structure in a district which does not permit such use or principal structure;
- 2) An expansion of a non-conforming use;
- 3) An increase in height of more than ten feet or 10% of the height in feet, whichever is less.
- 4) A breach in the required minimum or maximum building base height requirement of more than 10%;
- 5) An increase in the permitted floor area ratio;
- 6) An increase in the parking ratio of more than 10% above the maximum permitted;

- 7) Breach the minimum or maximum number of permitted stories.
- 8) Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;
- 9) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 10) Deviation from the Impact Fees provisions set forth in this Plan; or
- 11) Non-compliance with the specific goals and objectives enumerated in the Plan.

Any deviation in the above categories (1-11) or any other deviation that would otherwise constitute a "d" type variance or deviation constitutes a request for a legislative plan amendment cognizable only by the Governing Body. The Jersey City Zoning Board of Adjustment's powers are strictly limited to "a" and "b" appeals (N.J.S.A. 40:53D-70A&B).

- K) All development projects within Zone 1, Zone 2, Zone 10, Zone 11, or Zone 12 shall be pursuant to a redevelopment agreement approved by the Jersey City Redevelopment Agency. The agreements will be undertaken on a project by project basis.
- L) IMPACT FEE:
 - 1) Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.
- M) PROCEDURES FOR AMENDING THE PLAN:
 - 1) This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$5,000.00 plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request by a private entity to amend this plan. The City of Jersey City reserves the right to amend this plan.
- N) INTERIM USES:
 - 1) Interim uses may be established, subject to agreements between the developers and the Planning Board, that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses may include surface parking provided there is no ingress or egress onto Journal Square itself. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.
- O) ZONING CONFORMITY WITH REDEVELOPMENT AGREEMENTS:
 - 1) Tax parcels subject to a fully executed redevelopment agreement with the Jersey City Redevelopment Agency prior to the adoption of this

redevelopment plan may be developed utilizing development standards for building height, density, or floor area as specified in the redevelopment agreement. All design requirements and other development standards of this plan not specified in the redevelopment agreement shall remain in effect.

P) EXPOSED BASEMENT LEVELS:

- 1) Due to steep slopes in the Journal Square area, basement levels fronting a public sidewalk may appear as a ground floor of a building and be utilized for building access. In such cases, basement levels may also be occupied by any permitted use in order to improve the streetscape and provide neighborhood services.

Q) OFFICE SPACE BONUS:

- 1) In order to encourage the development of office space, maintain Journal Square as a mixed use employment center, and provide space for neighborhood amenities, the following office space bonus may be applied to development projects within Zones 3, 4, 5, 7, and 10 on sites 9,000 square feet or greater.
- 2) Up to 2 additional stories and 28 additional feet of building height may be added to the permitted height and/or base height of the zone district for each lot size category.
- 3) The bonus floor(s) must be entirely non-residential and utilized for office use, excepting areas for building services such as stair wells, elevators, egress corridors, etc, but not including structured parking areas. Amenity areas for residential occupants of the building are prohibited. Permitted uses within the office space bonus areas are:
 - (a) office
 - (b) medical office
 - (c) professional office
 - (d) retail services
 - (e) education uses
 - (f) art galleries
 - (g) government uses
 - (h) child and adult day care centers
 - (i) theatres
- 4) The structure must include a separate dedicated lobby, stair, and ADA elevator access from the ground level to the bonus floor(s).
- 5) Office bonus floors shall be directly above the ground floor or structured parking levels. Yard and building stepback requirements shall be applied to the next floor above the office bonus floors(s).
- 6) The Planning Board may require bonus floors to setback from a side or rear property lines any distance necessary to provide light and air to adjacent properties or require windows along a facade.

R) Severability:

- 1) If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

V) OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

- A) The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:
- 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in exceptionally close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use transit oriented station area are permitted. The plan also provides for adequate setbacks for the widening of Pavonia Avenue, the continuation of Central Avenue, and improved access to the PATH station as well as requirements for the provision of rooftop recreation space so as to reduce the impact of new development on the City's park system.
 - 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through the use of a maximum floor area ratio, maximum height limits, as well as setback and stepback requirements and various design controls.
 - 3) **The Journal Square 2060 Redevelopment Plan includes several areas declared "in Need of Redevelopment" under the prior "Journal Square Redevelopment Plan," originally adopted in April 1987, as depicted on Map 7. Additional areas may also be declared "in Need of Redevelopment" as necessary for the implementation of this plan. Condemnation of property is permitted in areas declared "in Need of Redevelopment," as depicted on Map 7. Any condemnation action which requires the relocation of persons or businesses shall be conducted in accordance with a Workable Relocation Assistance Plan (WRAP) which shall identify potential relocation sites and provision of statutorily mandated relocation assistance payments. The WRAP will be approved by the State of New Jersey Department of Community Affairs (DCA) and will address the particular needs and circumstances of the affected persons and businesses. In portions of the Journal Square 2060 Redevelopment Plan declared "in Need of Rehabilitation" only, there will be no displacement of existing residents or businesses, as condemnation is not permitted. There will be no displacement of existing residents through the implementation of this plan through condemnation, as this is an area in need of rehabilitation and condemnation is not permitted. Any condemnation action already commenced by the Jersey City Redevelopment Agency may continue. The condemnation of easements in areas previously declared in need of redevelopment may be pursued by the Jersey City Redevelopment Agency.**

- 4) The Journal Square 2060 Redevelopment Plan proposes no new acquisition or condemnation of private property for private redevelopment purposes, however the condemnation of easements in areas previously declared in need of redevelopment may be pursued by the Jersey City Redevelopment Agency. The following list of properties are eligible for acquisition, as depicted on Map 7:

BLOCK	LOT	QUALIFIER	NOTE
9403	14		
10704	38		
10704	39		
9403	17		Excluding "air rights" parcels
9403	16	BLDG	
9403	16		
9403	15		
9501	24		
9501	25		
9501	26		
9501	27		
9501	28		
9501	22		
9501	23		
9501	30		
9501	29		
10602	8		
10601	1		
10601	2		

- 5) The area covered by this Redevelopment Plan constitutes the area within walking distance of Jersey City's central business district and the transportation hub for Hudson County. This location in the very center of Jersey City and is remote from any adjacent municipality. Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
- 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
- 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

VI) TRANSPORTATION AND CIRCULATION

- A) The Plan proposes the widening of Pavonia and Oakland Avenues. The western half of Pavonia Avenue between Kennedy Blvd and Summit Avenue was previously widened along the PATH Transportation Center. The remainder of Pavonia Avenue must be widened to match the previous project. This shall be achieved through the dedicating of land to the City along the south side of Pavonia Avenue as shown on *Map 6: Circulation Map*. Oakland Avenue shall also be widened to a total width of 60 feet by a dedication of land along the western side of the Avenue between Newark Avenue and Hoboken Avenue as shown on *Map 6: Circulation Map*.
- B) Central Avenue currently functions as the primary commercial street for the Heights Neighborhood to the north of the Journal Square 2060 Plan area. This Plan proposes a new street to connect Central Avenue in the Heights Neighborhood to Summit Avenue and the Journal Square PATH station. A new street connector is shown on *Map 6: Circulation Map*.
- C) Cook Street is proposed to be vacated and added to Block 8102, provided the Central Avenue connector is constructed.
- D) The Bergen Arches right-of-way runs along State Highway Route 139, connecting downtown Jersey City to the national railway network. This right-of-way has many potential future uses. To insure that future use of this right-of-way can be maximized for public benefit, any development on top of the Bergen Arches shall preserve an at grade public easement along the top of the Bergen Arches tunnel or open cut as shown on *Map 6: Circulation Map, Right-of-Way Preservation area*.
- E) The Journal Square Transportation Center is currently configured with its main entrance on Kennedy Blvd. A secondary entrance is located at the eastern end of the Transportation Center at Magnolia Avenue and currently functions as a kiss-and-ride drop off point. This secondary entrance must be upgraded and redesigned as a new front entry plaza by any developer with greater than 200 linear feet along the Magnolia Avenue right-of-way as required in Zone 1. Improvements shall include decorative sidewalk and lighting throughout the plaza with bollards to control traffic, street furniture, and other design elements to successfully create an active plaza entryway from Magnolia Avenue.
- F) The Plan envisions a narrow-gauge streetcar line that runs in a dedicated right-of-way along Kennedy Boulevard, Journal Square and Bergen Avenue. This streetcar system is a critical north/south component of a comprehensive transit network designed to service Journal Square and surrounding neighborhoods. A streetcar system will ensure that new and existing developments along Kennedy Boulevard and Bergen Avenue have convenient access to the Journal Square Transportation Center and proposed extensions of the Hudson Bergen Light Rail in the Bergen Arches. The Redevelopment Plan recommends that a streetcar run from the intersection of John F. Kennedy Boulevard and Route 139 to Bergen Avenue at McGinley Square (see Map 6). During the development of a streetcar system, a dedicated bus lane should be implemented along the streetcar right-of-way. All stops should be permanent and substantial in nature. A transitional bus along the streetcar route can help establish a riding habit among Journal Square

residents and encourage transit appropriate development along the eventual streetcar corridor. The streetcar may be extended in the future to service additional neighborhoods as part of a comprehensive bus rapid transit system for Jersey City.

- G) Bus priority lanes should be provided within Sip, Pavonia, and Summit Avenues to accommodate a western waterfront bus rapid transit (BRT) system. A BRT line that connects the western waterfront corridor to the Journal Square Transportation Center is necessary to support the development and redevelopment of Jersey City's western waterfront. At the time of this writing, the City of Jersey City is developing a concept design for a two directional BRT route that runs along the Routes 440 and 1&9 Truck corridor between Danforth Avenue and Sip Avenue, and connects to the Journal Square Transportation Center via Sip Avenue. The route will have loop turnarounds at each end. The southern turnaround will be in the vicinity of Danforth Avenue, and the northern turnaround will be at the Journal Square Transportation Center via Pavonia, Summit and Sip Avenues. In order to accommodate the BRT route as it traverses the Journal Square area, the full length of Sip Avenue between Garrison Avenue and the transportation center should be designed to include bus priority lanes so that the BRT vehicles are not delayed by general traffic. These lanes may be placed within the existing right-of-way or cartway, and may be comprised of two one-directional lanes, or one reversible lane that is eastbound during the AM peak and westbound during the PM peak. Additionally, to accommodate the loop turnaround at Journal Square, Pavonia, Summit and Sip Avenue should be designed to include bus priority lanes so that BRT vehicles departing Journal Square for Route 440/1&9T via Sip Avenue are not delayed by general traffic.

VII) DESIGN REQUIREMENTS FOR ALL ZONES

A) GENERAL REQUIREMENTS

- 1) All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk.
- 2) All minimum building height requirements shall be measured as stories above sidewalk grade. No mezzanines or split levels or any floor partially below grade shall be considered for minimum height requirements (see building height tables for each zone district). All floors necessary to meet the minimum height requirement must be approximately equal in floor area. No required minimum floor may be less than 60% of the first floor area at grade.
- 3) All lots at the time of adoption of this plan are conforming lots for development, however any newly created lots or development sites through subdivision or consolidation shall have a maximum shape factor of 28. Shape factor is defined as the perimeter of the lot squared, divided by the lot area:

$$\frac{\text{Perimeter}^2}{\text{Lot area}} = \text{Shape Factor}$$

(a) Example for a standard 25' by 100' rectangular lot:

perimeter = 250'

perimeter squared = 62,500

area = 2500 square feet

shape factor is $62500 / 2500 = 25$

- 4) Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate historic elements found throughout the surrounding area.
- 5) Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside of the project area. Front facades, facades which are visible from a public right-of-way, and all facades that are significantly taller than adjacent buildings or are visible as part of the Journal Square skyline shall be treated with equal importance in material selection and architectural design.
- 6) Large blank walls without fenestration surrounding large residential or commercial uses such as theatres, parking garages, bowling alleys, big box retail, or similar uses must incorporate facade relief, an expressed structural system, sculpted, carved or penetrated wall surfaces, architectural lighting, or other architectural techniques to provide visual interest.
- 7) Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.
- 8) All utility distribution lines, including multi-media telecommunication lines, and utility service connections from such lines to the project area's individual use shall be located underground.
- 9) All adaptive reuse of existing structures shall not be required to meet minimum building height requirements.
- 10) Roof treatment, Mechanical Screening and Electrical Equipment
 - (a) All mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material complementary with the façade of the structure. The screening shall not resemble a utility or rooftop elevator or stair tower. It shall instead resemble an upper level extension of the building and be designed to contribute to the building top design.
 - (b) A roof plan must be developed and submitted for approval. Roof plans shall include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking deck roofs shall be designed to maximize recreational amenity space and all remaining rooftop areas shall be developed as a green roof.
 - (c) All electrical communication equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.

- (d) Transformers and primary and back-up generators shall be located interior to the building or vaulted underground within the pavement area of an adjacent street. Location upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade is not permitted.
- (e) The placement of all new or reconstructed signal boxes is required to be below grade.
- (f) The screening of all new or reconstructed telecom equipment is required.
- (g) Roof deck enclosures: 20% of ADA accessible roof deck areas may be an enclosed amenity space. Enclosed roof deck amenity space must be a minimum of 10 feet from the edge of the roof or parapet, and be centered on the roof to minimize view of the enclosure to the greatest extent practical. Enclosed roof deck amenity space may extend to the edge of a building with the minimum area necessary to gain access to an elevator or stair entry. All walls of the enclosed amenity space greater than 10 feet from the edge of roof or parapet shall be a minimum of 80% glazing. Maximum floor to top of roof structure shall be 10 feet.

11) Streetscape

- (a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
 - (b) Main entrances into buildings shall be located on all public streets. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure.
 - (c) Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
 - (d) Automobile parking between the building line and a public right-of-way is expressly prohibited, even where surface parking is a permitted use. Parking is not permitted in any front yard.
 - (e) Porte-cocheres and drop-off lanes are prohibited.
- 12) A cornerstone marking the date of construction shall be located in an appropriate ground level corner of any building five or more stories. The cornerstone shall be incorporated into the primary facade material.
 - 13) Overhead walkways (skywalks) connecting buildings and or parking above streets or rights-of-ways are prohibited.
 - 14) All facade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids.
 - 15) All new sidewalk concrete shall be tinted charcoal grey or equivalent tint. The Planning Board may grant a waiver for superior design which relates to adjacent architecture or other public purpose.
 - 16) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.

- 17) Ground floor storefront bulkheads below the display windows shall be a maximum of 18 inches in height above sidewalk grade.
- 18) All storefront facades shall incorporate a minimum of 80% transparent glass.
- 19) All ground floor entryways shall be recessed or designed to avoid door swings into any public right-of-way.
- 20) All large residential development projects are strongly recommended to include provisions for a dog run.

B) REQUIRED CONTEXTUAL DESIGN ELEMENT

- 1) Buildings that are taller than adjacent buildings by 50% or more shall utilize a contextual building height feature in the facade design. The contextual height feature shall mark the average building height of adjacent structures within the facade design through a change in materials, colors, a projection or cantilever, or other design element to articulate the new building to its smaller neighboring structures.

C) FLOOR HEIGHT MINIMUM

- 1) Residential floor-to-ceiling heights must be a minimum of 9 feet and a maximum of 12 feet, excepting drop ceilings in kitchens, bathrooms, corridors, and other similar spaces.
- 2) A ground floor residential use (where permitted) must be 3 feet above sidewalk grade or set back from a front property line by 3 feet and screened with raised landscaping enclosed by a minimum 6x6 inch masonry curb. Building lobbies may be at grade for ADA accessibility.
- 3) Ground floor floor-to-ceiling height minimums for a non-residential use are regulated by the following table:

Building Height	Minimum First Floor Height	Maximum First Floor Height	Maximum First Floor Height within 30' of a Rear Lot Line
2 to 6	12'	18'	12'
7 to 12	15'	20'	12'
13 and up	20'	30'	12'

Table 1

- 4) As an alternative to the table above, ground floor floor-to-ceiling height may match adjacent historic structures.

D) SPECIAL REQUIREMENTS FOR A TOWER ON A BASE

- 1) When indicated in the Building Stepback Tables in each Zone district, the following "Tower on a base" requirements shall apply.
- 2) All buildings shall have a base, which shall be designed according to the following:
 - (a) Building base height requirements:

Base Height Requirements by Zone (In feet)		
Zone	Minimum	Maximum

1	50'	75'
3	30'	60'
10	30'	45'

Table 2

- (b) As an alternative to the chart above, building base heights may be contextual to match the adjacent buildings heights, or match the mean or mode building height on the block.
- (c) A project on Block 9501, Lot 23 fronting onto the Journal Square Plaza is permitted a base height of 150 feet, and may provide enclosed recreation facilities.
- 3) Towers shall be setback from the front lot line a minimum of 10 feet for sites with a lot depth of 100 feet or less. Tower setback shall be a minimum of 15 feet for sites with a lot depth of more than 100 feet.
- 4) Towers shall be setback from side lot lines a minimum of 20 feet.
- 5) Maximum diagonal dimension between building corners is 180 feet for primarily residential or hotel use buildings.
- 6) Maximum diagonal dimension between building corners is 200 feet for primarily office use building.
- 7) Where the tower base abuts a lower density zone, the base of a tower shall be set back from side lot line a minimum of 5 feet and the tower shall be setback a minimum of 30 feet.
- 8) Tower bases must set back 30 feet from any adjacent property's rear property line, except the ground floor which may cover 100% of the lot.
- 9) Front yard setback requirements for each Zone shall apply.
- 10) Building Base Design Requirements:
 - (a) A visual cue or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the design, proportions, and materials shall be provided at the top of the base.
 - (b) Decorative features and materials are required to provide detail and interest to the pedestrian level of the building.
 - (c) Building bases shall be constructed of durable material of high quality, including but not limited to glass, stone, brick, textured concrete, metal paneling, etc. Glass shall constitute a minimum of 80 % of the ground floor storefront facades (see ground floor height minimum).
 - (d) A decorative screening facade may substitute for glass to wrap parking facilities, subject to approval by the Planning Board.
 - (e) Retail and/or other permitted uses are required along all public rights-of-way, with a minimum depth of twenty-five (25) feet. No more than fifteen (15) percent of the first floor street frontage and no more than 30 consecutive linear feet along a public right-of-way may be dedicated to other uses such as meter rooms, blank walls, emergency exits, etc.
 - (f) First floor retail height shall be regulated by the ground floor floor-to-ceiling height table in Table 1 above.
- 11) Building Tower Design Requirements:
 - (a) A visual cue or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the

design, proportions, and materials shall be provided at the top of the tower.

- (b) Building towers shall be constructed of durable material of high quality, including, but not limited to glass, stone, textured concrete, brick, metal paneling etc. Glass shall constitute a minimum of 40 % of the facade.
- (c) Building towers are required to have a minimum separation distance of 50 feet.

E) PARKING STANDARDS

All parking shall be provided in multi-tiered structures, automatic garages, or within a structure. Parking structures shall meet the following requirements:

- 1) Bicycle Parking Provisions: Bicycle parking shall be provided pursuant to the requirements found in the Jersey City Land Development Ordinance.
- 2) Automobile Maximum Parking Ratios By Use:
 - (a) For lots of less than 60 feet in width: no parking is permitted.
 - (b) Curb cuts are prohibited except where providing access to parking areas with 8 spaces or more.
 - (c) Residential uses may provide up to a maximum of 0.5 off-street parking space per dwelling unit.
 - (d) Office and other commercial uses may provide up to a maximum of 0.5 spaces per 1000 square feet of gross floor area.
 - (e) Retail, restaurants, bars, nightclubs and health clubs may provide up to a maximum of 0.5 space per 1000 square feet of gross floor area.
 - (f) Theaters may provide up to a maximum of 1 space per 20 seats.
 - (g) Hotels may provide up to a maximum of 1 space per every 3 rooms.
 - (h) Public/semi-public uses may provide a maximum 0.5 space per 1000 square feet of gross floor area.
 - (i) Colleges and Universities may provide a maximum of 1 space per faculty and administrative member per 8 hour shift.
 - (j) All other uses may provide a maximum 0.5 space per 1000 square feet of gross floor area.
 - (k) Public parking garages as a stand alone use are exempt from the parking maximum.
- 3) Automobile Parking Provisions
 - (a) Commuter parking is prohibited.
 - (b) Semi-annual reporting of the parking pricing and usage shall be provided to the Director of the Division of City Planning and the Chairman of the Jersey City Planning Board in a format and detail similar to the semi-annual parking report submitted for the Newport Redevelopment Plan Area.
 - (c) To assure the most efficient and effective use of the parking resources located within the Redevelopment Area, shared use of the parking facilities is encouraged.
- 4) Design Standards:
 - (a) In any building over six stories, or any stand-alone parking structure, a parking level at grade may not contain any parking or mechanical floor

- area adjacent to the sidewalk/street frontage. Atrium, lobby, and/or retail space shall occupy these areas with a minimum depth of 25 feet.
- (b) All garage entry doors shall be set back into building facade a minimum of 4 feet to provide a site triangle to pedestrians on the sidewalk. The entry shall be flanked by planter boxes, bollards, sculpture, or other feature acceptable to the Planning Board no greater than 24 inches in height and no less than 5 feet in length along the sidewalk to protect the site triangle and keep pedestrian traffic flow a safe distance in front of the garage entry.
 - (c) For stand alone parking structures, the ground floor retail use shall be a minimum height of 15 feet and a depth of 25 feet.
 - (d) Any parking structure shall be designed to eliminate headlight glare by the provision of opaque screening for head lights and placement of interior garage lighting to be directed into the structure and/or mounted on the interior side of columns so as to prevent glare from such lighting to be visible from the street or adjacent property. Light fixture details and location shall be included within the garage floor plan at the time of site plan application.
 - (e) The facade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
 - (f) All openings must be screened with glass or decorative façade materials. Any openings shall be in a vertical proportion. Open horizontal bands along the façade of any parking structure are prohibited.
 - (g) Exterior lighting of the screening materials on a parking structure façade may be required by the Planning Board in order to provide additional visual interest in terms of light and shadow and to further mask the interior lighting of the parking structure and headlight glare.
 - (h) All pedestrian access points shall be provided at street level and designed to encourage street activity. Overhead or elevated pedestrian or vehicular connections are prohibited.
 - (i) All parking spaces shall be 9 feet wide by 18 feet deep. Compact parking spaces (8x15), may be provided, up to fifty (50) percent of approved parking spaces.
 - (j) Aisle widths shall conform to the following standards:
 - (i) 90 degree parking 22' wide two-way aisle
 - (ii) 60 degree parking 18' wide one-way aisle
 - (iii) 45 degree parking 15' wide one-way aisle
 - (iv) 30 degree parking 12' wide one-way aisle
 - (k) All one-way aisles shall be clearly designated.
 - (l) All automatic garage parking is exempt from the above space and aisle dimension requirements.
 - (m) Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction of pedestrian walks and thoroughfares.

- (n) Surface parking lots (as an interim use) and all loading areas, shall provide a screen planting of dense evergreens along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles. Within the parking area, a minimum of three percent (3%) of the parking area shall be landscaped and maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) so that the landscaping is dispersed throughout the parking area.
 - (o) The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All freight loading activities are encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be regulated by the Jersey City Land Development Ordinance.
 - (p) Drop off areas may be required for uses generating organized pick-up and drop-off services such as, but not limited to, medical offices.
 - (q) All entry ways to off-street parking and loading structures shall incorporate decorative materials coordinated with the primary base façade on all surfaces twenty-five (25) feet deep into the structure to create an attractive view from the sidewalk and adjacent pedestrian areas.
 - (r) Parking and service access should not be located on the main traffic oriented streets. A head-in/head-out design is required for all loading and parking facilities. For parking facilities with 30 spaces or less, driveway widths shall be a maximum of 12 feet. For all other parking facilities, driveway widths shall be a maximum of 18 feet.
 - (s) Direct new development to minimize pedestrian and traffic conflicts.
 - (t) All site plan application for parking structures should demonstrate the ability to provide for electric vehicle charging stations in the future.
 - 5) Below grade parking is permitted to cover 100% of the lot and shall not be counted against permitted FAR.
 - 6) All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering, the Division of City Planning and the Planning Board. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.
- F) OPEN SPACE DESIGN REQUIREMENTS
- 1) Where possible, new structures surrounding or enclosing open space should be designed and sited to allow the greatest penetration of sunlight onto open space areas throughout the year.
 - 2) Open space shall provide visual and functional elements such as bicycle parking, benches, seating walls, drinking fountains, refuse containers and planters, and public fountains. Open space amenities shall include

decorative material such as: stone pavers, brick pavers, asphalt pavers, stamped and tinted concrete, and decorative lighting and detailing.

- 3) Adequate lighting shall be provided to encourage active usage and a sense of security in the open space.
- 4) Open space shall be distributed so as to provide for maximum usability.
- 5) Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements. Open space and plazas shall be designed at a human scale to invite and attract the public.
- 6) Open space shall be oriented to maximize views.
- 7) As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Seating space may include planters, benches, fountains, etc.

G) LANDSCAPING AND LIGHTING REQUIREMENTS

- 1) Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, plaza areas or loading zones. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.
- 2) All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of 4 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. Ground cover shall be used in place of mulch.
- 3) All new trees shall be of a species and gender so as to minimize fruit and pollen.
- 4) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.
- 5) Underground watering facilities shall be required for all landscaped areas. Hose bibs shall be provided immediately adjacent to planting areas abutting a building.
- 6) Street trees shall be planted along curb lines of streets in a regular pattern, spaced at one-half the mature spread of the tree canopy to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of four (4) inches in caliper.
- 7) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent dark corners.
- 8) All lighting sources must be adequately shielded to avoid any off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.
- 9) All landscaping must be fully enclosed by curb or seating wall constructed of a masonry or metal material with a minimum of 6 inch in height. Landscaping

shall be elevated to match the height of the curb or seating wall. Fencing is discouraged, but may be set into the required curb.

H) GREEN BUILDING REQUIREMENTS

- 1) For new construction projects with more than 9,000 square feet of roof top area, 90% of all roof top area not used for recreation space, solar panels, elevator or stair housing or other areas necessary for mechanical equipment must be a "green roof".
- 2) All plumbing fixtures must demonstrate a 30% improvement over US EPA 1992 Energy Policy Act standards. All new toilets must be a dual-flush design and use an average of 1.28 gallons per flush or less and achieve the US EPA HET standard. All new shower heads and faucets must be equipped with aerators or other mechanisms to reduce water flow.
- 3) All new construction must demonstrate 15% improvement in energy efficiency of the building envelope and mechanical systems over ASHRAE 90.1 2007 or the most recently adopted energy standards by NJ Department of Energy.
- 4) All paints and carpets must be "low VOC" generally defined as having less than 60 grams per liter of volatile organic compounds.
- 5) All new installed appliances must be Energy Star rated. All light bulbs must be Energy Star rated, LED, or utilize other energy saving features such as dimmers, motion detectors, etc.
- 6) The recycling and reuse of grey water is encouraged when feasible.

I) BUILDING AMENITY REQUIREMENTS

- 1) All buildings with 4 or more units must provide a washer/dryer room in the building or a washer/dryer within each unit.
- 2) Buildings with over 50 units must include at least 2% of the units designed with 3 bedrooms or more.
- 3) Buildings with 4 or more floors must provide an elevator.
- 4) A minimum of 20% of the lot area must be dedicated to useable recreation space by occupants, or plaza areas accessible by the public. This space may be placed in a rear yard or on a roof. Roof decks are encouraged and may be necessary to achieve this requirement.
- 5) Showers and other facilities necessary to support people biking to work is required in all office buildings and other major centers of employment greater than 100,000 square feet.

J) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS is prohibited. Any stucco material used must be fine grained with a smooth finish to reflect a more stone like appearance and qualities of light reflection.
- 2) Concrete block may not be used as a decorative finish on any facade.
- 3) Exterior doors including emergency exits and utility access shall not be secured with a pad lock. All door must include a built in lock mechanism.
- 4) Brick facades are encouraged to utilize multi toned brick selections with at least 3 tones so as not to create a dull or flat brick facade.
- 5) Front cantilevered balconies may project no more than 12 inches from the facade where located within 45 feet from grade or on the base of any "tower

on a base" building design (see Section IV: C). Above a stepback, balconies may extend no more than the width of the stepback.

- 6) Use of chain link fencing, razor wire, barbed wire, or other similar security devices is expressly prohibited. Chain linked fencing may be temporality utilized during construction only.
- 7) Security Gates: All front security gates shall be completely composed of the open mesh type, except for two feet at the bottom of the gate which may be solid. Storage boxes for all security gates shall be mounted on the interior of the building. Gate tracks shall be recessed into the glazing reveal and the gate housing shall be flush with the plane of the storefront. No storage box, tracks or mechanical devices related to the gates may project from the plane of the storefront.

VIII) SIGNAGE REGULATIONS

A) Signage Approval Process

- 1) All signs are subject to site plan review when included as part of a major site plan application.
- 2) All temporary banner signs for marketing projects on site shall be considered as an interim use.
- 3) All new signage (except billboards) that complies with the redevelopment plan shall not require site plan approval.
- 4) Minor Site Plan application with deviation must be submitted to the Planning board for all non-conforming sign proposals.
- 5) Any signage (except billboards) more than 45 feet above grade is not permitted in this Redevelopment Plan. All requests for this type of signage constitutes a minor site plan application with deviation.
- 6) Billboards or theater marquees are subject to minor site plan review.
- 7) During construction, one (1) temporary sign indicating: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable) shall be permitted. The sign area shall not exceed forty (40) square feet.

B) Number and Size of Signage

- 1) The building address is required to placed on either the main entry door, transom window, building, or awning flap at a maximum font height of 10 inches.
- 2) Corner lot development is encouraged to display the street names on the building facade or imprinted into the sidewalk.
- 3) Sign requirements along all Rights-of-Way where retail is mandatory (see *Map 4: Required Retail Use Map*):
 - (a) For retail, restaurants, bars, nightclubs, and other similar ground floor uses:
 - (i) Each use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.
 - (ii) Maximum sign height shall be 32 inches.
 - (b) All other uses:

- (i) Each such use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have no more than one (1) sign per use.
 - (ii) The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 20 square feet.
- 4) Sign requirements along all Rights-of-Way where retail is not required (see *Map 4: Required Retail Use Map*):
 - (a) For retail, restaurants, bars, nightclubs, and other similar storefront uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.
 - (ii) Maximum sign height shall be 18 inches.
 - (b) All other uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have not more than one (1) sign per use.
 - (ii) The total exterior sign area shall not exceed the equivalent of two (2) percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 8 square feet.
- 5) Signage along Kennedy Boulevard between Tonnele Avenue and Van Reipen Avenue may exceed size and placement limitations by design waiver request to the Planning Board as part of a minor site plan application.
- C) Sign Design Requirements
 - 1) All signs shall be attached to the first floor level of the building only, although blade signs may be attached to the first or second floor façade.
 - 2) All wall signs shall be flush mounted;
 - 3) All blade signs shall project no more than 30 inches from the facade and the bottom of the sign must be a minimum of 9 feet above the sidewalk.
 - 4) Window signs (other than lettering and logos as specifically permitted) shall be prohibited. Lettering or logos shall be limited to decorative metal leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial space / storefront and shall cover no more than twenty (20%) of the window area.
 - 5) Permitted signage material includes:
 - (a) Painted wood.
 - (b) Painted metals including aluminum and steel.
 - (c) Brushed finished aluminum, stainless steel, brass, copper, or bronze.
 - (d) Carved wood or wood substitute.
 - (e) Channel letters.
 - 6) Permitted lettering material includes:
 - (a) Lettering forms applied to the surface of the sign.
 - (b) Single colored lettering forms applied to the surface of the sign.
 - (c) Metallic solid body letters with or without returns.
 - (d) Painted acrylic or metal letter.

- (c) Vinyl lettering attached permanently to a wood, wood substitute or metal signboard.
- 7) Signs may be lit from backlit halo, and up-lights.
- 8) Storefront windows shall not be blocked by any interior display case or other form of barrier. Pedestrians on the street shall have the ability to see into the shop and view the activity within.
- 9) Signs may include the name of the store only. Building address, phone number, operating hours and other additional information may be stenciled on the door.
- D) Parking Garage Signage
 - 1) One (1) sign shall be provided per entrance to garages indicating the parking facility by the international parking symbol and direction arrow. The sign area shall not exceed twenty (20) square feet. If applicable, one (1) sign per entrance may be allowed indicating parking rates, not to exceed eight (8) square feet.
 - 2) Portable signs are not permitted for parking garages.
- E) Billboard Requirements
 - 1) Billboards are only permitted within a 400 foot radius of the intersection of the center lines of Kennedy Boulevard and Bergen Avenue.
 - 2) Billboards are permitted only on building rooftops greater than 30 feet above grade. Billboards may also be permitted on a building facade only at the discretion of the Planning Board and only for the purpose of screening a blank wall or parking structures and within the 400 foot radius described above.
 - 3) All billboards are required to be coplanar, (placed in the same plane) with the building facade.
 - 4) Billboards may not exceed 20 feet in height and are required to be the same width as the portion of the facade it is built coplanar to.
 - 5) All support structures shall be screened from view from all public rights-of-way by the face of the billboard.
- F) Prohibited Signs
 - 1) Freestanding signs, except for those indicating direction, transportation, circulation and parking are prohibited.
 - 2) Portable advertising signs not associated with use within 10 feet are strictly prohibited.
 - 3) Product advertising signage of any kind.
 - 4) Signage attached to parking meters, light poles, benches, or other street furniture.
 - 5) Monument signs
 - 6) Internally or externally illuminated box signs
 - 7) Flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle
 - 8) Window signs, posters, plastic or paper that appear to be attached to the window.
 - 9) Pole signs.
 - 10) Waterfall style or plastic awnings.

IX) REQUIRED LAND USE REGULATIONS

- A) Retail and/or other permitted active storefront type uses, which activate the adjacent sidewalk, are required along all public rights-of-way where indicated on *Map 4: Required Retail Use Map*. Active storefront type uses include, but not limited to, retail, storefronts, building lobbies, art galleries, bars and restaurants.
- 1) Minimum depth of retail use shall be twenty-five (25) feet.
 - 2) No more than fifteen (15) percent and no more than twenty (20) consecutive linear feet may be dedicated to other uses such as meter rooms, blank walls, emergency exits, etc.
 - 3) Ground floor residential is only permitted if necessary to meet the requirements of the Americans with Disabilities Act, there is no elevator access, and provided the following conditions are met:
 - (a) Must be situated behind the retail use.
 - (b) The building must maintain a minimum of 600 square feet of retail space at grade level and at the front of the building.
 - (c) The building must incorporate a cellar not less than 600 square feet or 50% of the building's footprint, whichever is greater, to provide storage space for the retail use and for the location of trash rooms, mechanical rooms, meters or other infrastructure needs of the building so as to maximize available retail space at the ground floor level. Additional space may be allocated to residential tenants.

X) SPECIFIC LAND USE REGULATIONS

A) ZONE 1: CORE

The purpose of this zone is to provide for high-density, high-rise construction on parcels immediately adjacent to the Journal Square Transportation Center. As the center of the Journal Square plan with the greatest access to both heavy rail and bus transportation systems, this block has the greatest potential to provide housing, office space, and other uses in a transit oriented manner.

- 1) Permitted Principal Uses:
 - (a) Mid and High-rise Residential: no residential units permitted on the ground floor.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Office: Permitted everywhere except ground floor.
 - (d) Art galleries
 - (e) Live/Work units and home occupations: except on the ground floor.
 - (f) Restaurants, category one and two.
 - (g) Hotels/Bed and Breakfast.
 - (h) Theaters.
 - (i) Child/Adult Day Care Centers: except on the ground floor.
 - (j) Night Clubs/Bars.
 - (k) Schools.
 - (l) Community Centers.
 - (m) Museums.
 - (n) Government uses.
 - (o) Billboards: as per billboard requirements in Section VII: E above.

- (p) Any combination of the above
- 2) Accessory Uses
 - (a) Structured parking and loading
 - (b) Fences and seating walls
 - (c) Landscape features
 - (d) Improved Open Space
 - (e) Signs
 - (f) Rooftop Recreation
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
 - (a) Surface parking as a principal or accessory use.
 - (b) Drive-through facilities pertaining to restaurants, banks, pharmacies, and other drive through uses
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
- 4) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 10,000 square feet.
 - (ii) Minimum lot width: 100 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 28
- 5) Maximum Floor Area Ratio (FAR) Standards
 - (a) The permitted Floor Area Ratio (FAR) for any new development shall be regulated according to the following table:

LOT SIZE (Square Feet)		Maximum Permitted FAR (residential primary use)	Maximum Permitted FAR (office primary use)
From	To		
0	5,999	4	4
6,000	19,999	8	6
20,000	29,999	16	8
30,000	59,999	20	12
60,000	and up	25	16

Table 3

- (b) The Floor Area Ratios in Table 3 above are inclusive of all built structures at or above grade including, but not limited to parking decks, lobbies, hallways, building core, common areas, etc.
- (c) Buildings over 210 feet must comply with "tower on a base" design requirements in Section VII: C.
- 6) Minimum Building Height Requirement
 - (a) The minimum height for any new building shall be sixty-five (65) feet.

7) Yard Requirements

(a) Front Yard Requirements:

- (i) Front yard setback shall be sufficient to provide the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the required front yard setback shall be 10 feet.

(b) Side Yard Requirements:

- (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows or as per the "Tower on a Base" requirements in Section IV: C.

(c) Rear Yard Requirements:

- (i) No rear yard is required.

- 8) Sidewalk and streetscape elements shall complement the established design, color, materials and street furniture of the Journal Square Streetscape improvements.
- 9) Any project on Block 9501, Lot 23, shall provide ground floor retail frontage along Concourse East, and shall provide the west side of the pedestrian walkway on Lot 22 an active frontage or retail to create a quality pedestrian access to Concourse East from Sip Avenue, excepting areas necessary for loading and unloading.
- 10) Improvement shall be provided to Concourse East to insure a seamless connection between the projects and usable shared sidewalk.
- 11) It is required that Pavonia Avenue be widened by approximately ten feet (10') on the South side, in-line with a previous street widening in front on the Journal Square Transportation Center. The required setback along Pavonia Avenue therefore must be sufficient to accommodate this street widening as well as the required sidewalk width of twenty (20') feet, totaling an approximate thirty (30) foot setback from the existing curb line along this section of Pavonia Avenue. The land necessary for this right-of-way improvement shall be dedicated to the City. All setback and stepback requirements shall be measured from the new property lines created.
- 12) A maximization of lot coverage and FAR is being permitted as a component of this zone due to its proximity to the Journal Square PATH station. At grade open space is not required on site, but instead must be provided as improvements to the Magnolia Ave kiss-and-ride drop off area as described in section VI) E above by any development adjacent to Magnolia Avenue for a length greater than 200 linear feet. Any developer that triggers this provision

shall fund, improve, and maintain this new plaza entry way for the Journal Square Transportation Center. Any development application for building under this provision shall include the site plan development improvements for the plaza as part of the same application. Construction of the plaza shall be completed simultaneously with the principal building.

B) ZONE 2: AIR-RIGHTS

- 1) The sole permitted use in this zone is for transportation uses. It is desirable in the future to deck over the existing rail tracks and develop the air rights above for a variety of uses, including office, commercial and residential uses, and to incorporate public open space to create landscaped pedestrian plazas that form a continuous link from the Journal Square PATH station to the surrounding neighborhoods from Baldwin Avenue to Garrison Avenue. Recommended pedestrian corridors are shown on *Map 5: Required Sidewalk Width* and *Map 6: Circulation*. Building heights, forms, and permitted uses are to be determined as a future amendment to this redevelopment plan.

C) ZONE 3: COMMERCIAL CENTER

The purpose of this zone is to provide for an active and intensive use of parcels surrounding the Journal Square Transportation Center. With close proximity and short walking distances to heavy rail and bus transit systems, this zone complements the established commercial center of Jersey City.

1) Permitted Uses:

- (a) Residential: permitted everywhere except on the ground floor of buildings greater than 65 feet in height.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices: permitted everywhere except on the ground floor of buildings greater than 65 feet in height.
- (d) Art galleries.
- (e) Live/Work units and home occupations: except on the ground floor of buildings greater than 65 feet in height.
- (f) Restaurants: category one and two.
- (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
- (h) Hotels/Bed and Breakfast.
- (i) Medical Offices
- (j) Child and Adult Day Care Centers.
- (k) Theatres/Night Clubs/Bars.
- (l) Schools
- (m) Museum
- (n) Government uses.
- (o) Billboards: as per billboard requirements in Section VII: E above.
- (p) Any combination of the above.

2) Accessory Uses

- (a) Fences and seating walls.
- (b) Landscape features.

- (c) Improved Open Space.
- (d) Signs.
- (e) Rooftop Recreation.
- (f) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
 - (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
- 4) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 7500 square feet.
 - (ii) Minimum lot width: 75 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 28
- 5) Density and Height Requirements
 - (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code
- 6) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to: (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)
	0 to 2499	3 / 32'	3 / 34'
25x100	2500 to 4999	3 / 32'	5 / 54'
50x100	5000 to 7499	4 / 42'	8 / 85'
75x100	7500 to 9999	5 / 52'	10 / 105'
100x100	10000 to 12499	5 / 52'	18 / 195'
125x100	12500 and up	5 / 52'	25 / 265'

Table 4

- 7) Building Stepbacks: To provide light and air to adjacent lots, buildings taller than 4 stories must provide a "stepback" from the property line at the following intervals:

Story Level	Front Stepback	Side Stepback	Rear Stepback
1	none	none	none

2 to 5	none	none	15'
6 to 10	none	none	20'
11 to 18	10'	15'	30'
19 and up	See Tower on a Base Section VII C		

Table 5

8) Yard Requirements

(a) Front Yard Requirements:

- (i) Front yard setback shall be sufficient to provide the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the required front yard setback shall be 10 feet.
- (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.

(b) Side Yard Requirements:

- (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows or as per the "Tower on a Base" requirements in Section IV: C.

(c) Rear Yard Requirements:

- (i) No rear yard is required, however a building step back above the ground floor is required as per Table 5 above.
- (ii) All floor levels above the ground floor shall not extend greater than 85 feet from any right-of-way fronting the subject property.
- (iii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.

D) ZONE 4: NEIGHBORHOOD MIXED USE

The purpose of this zone is to provide for new housing, office space, and other uses on parcels within a 10 minute walk of the Journal Square Transportation Center. This zone continues the existing pattern of mixed land uses and building types while providing for increased height limits on corner lots.

1) Permitted Uses:

- (a) Residential: permitted everywhere except as restricted on the ground floor of buildings utilizing a corner height bonus depicted on *Map 3: Corner Lot Bonus Map*.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices.
- (d) Art galleries.
- (e) Live/Work units and home occupations.
- (f) Restaurants: category one and two.

- (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices.
 - (j) Child and Adult Day Care Centers.
 - (k) Theatres/Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment. Night clubs and bars are limited to 5000 square feet.
 - (l) Houses of worship.
 - (m) Museum.
 - (n) Schools.
 - (o) Community Centers.
 - (p) Government uses.
 - (q) Any combination of the above.
- 2) Accessory Uses
- (a) Structured and surface parking and loading.
 - (b) Fences and seating walls.
 - (c) Landscape features.
 - (d) Improved Open Space.
 - (e) Signs.
 - (f) Rooftop Recreation.
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
- (a) Surface parking as a principal use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 7500 square feet.
 - (ii) Minimum lot width: 75 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 28
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.

- (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to: (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)	Maximum Building Height with Bonus "C" (stories)/(feet)	Maximum Building Height with Bonus "B" (stories)/(feet)	Maximum Building Height with Bonus "A" (stories)/(feet)
	0 to 2499	2 / 22'	3 / 34'			
25x100	2500 to 4999	2 / 22'	4 / 44'	5 / 54'	5 / 54'	5 / 54'
50x100	5000 to 7499	3 / 32'	5 / 54'	6 / 64'	6 / 64'	8 / 85'
75x100	7500 to 9500	4 / 42'	6 / 64'	6 / 64'	8 / 85'	8 / 85'
95x100	9501 and up	5 / 52'	6 / 64'	6 / 64'	8 / 85'	12 / 130'

Table 6

- (c) Corner Lot Bonus: Corner lots at selected locations are permitted a height bonus to encourage larger buildings at street corners as indicated in *Map 3: Corner Lot Bonus Map*. To qualify for the bonus height, corner lots must have the minimum lot size indicated in Table 6 for each bonus as well as the minimum sidewalk width indicated in *Map 5: Sidewalk Width Map*, or a minimum of 12 feet; whichever is greater. Corner Bonus projects are not required to match adjacent front yard setbacks in section 6 below, but instead must provide a front yard setback from the existing curb-line at the time of adoption sufficient to meet the minimum sidewalk width as per the *Map 5: Sidewalk Width Map*, or a minimum of 12 feet, whichever is greater. Projects must also comply with the minimum floor-to-ceiling height requirements and required building stepbacks. Buildings of 8 stories and greater must provide ground floor commercial uses in all ground floor areas not utilized for parking, storage or building utilities; and must measure a minimum depth of 30 feet from all street lines. Ground floor residential is only permitted at the rear of a building where a minimum of 5000 square feet of retail is provided. The Corner Lot Bonus is applicable to a maximum lot area of 20,000 square feet. All floor levels above the height of adjacent buildings shall be set back from the property line 5 feet or more to provide windows.
- (d) Whole block development provision: where an entire block measuring greater than 30,000 square feet (not including any property in Zone 6) is consolidated, bounded only by rights-of-way, the development standards for Zone 3 may be applied provided that:
- A 20 foot sidewalk is provided around the entire circumference of the block.
 - Tower stepbacks of 12 feet are accommodated set back from the base facade.

- (iii) Parking is not permitted to front along any right-of-way at grade level. All parking uses must be screened from view through the use of wrap units. Any non-parking permitted use must occupy the first floor along all rights-of-way to a depth of a minimum of 25 feet. Parking may only be exposed on or above the second story.
 - (iv) Properties in Zone 6 must be excluded from any site plan under this provision.
 - (v) No buildings may be placed in the right-of-way preservation area as indicated on *Map 6: Circulation*. All preservation areas must be designed as publicly accessible plaza.
- 6) Yard and Stepback Requirements:
 - (a) Front Yard Requirements:
 - (i) Front yard setback shall match the setback of the "Primary Building Façade" (see Article I of the Land Development Ordinance for definition of Primary Building Façade) on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the block front. Where sidewalk widths are less than 8 feet, the front yard setback requirement must be the minimum of 8 feet from front facade at the ground floor to the curb.
 - (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate stoops, outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.
 - (iii) If the adjacent front yard setbacks are greater than 10 feet, and the project site has 60 feet or more of frontage on a right-of-way, then the building may limit the front yard setback requirement to 10 feet.
 - (iv) Where retail is required as indicated in *Map 4: Required Retail Use Map*, the front yard setback shall be from the existing curb-line at the time of adoption sufficient to provide the minimum sidewalk width as depicted in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to curb. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.
 - (b) Side Yard Requirements:
 - (i) Where the adjacent building is less than four stories, the minimum side yard setback shall be 3 feet to match an adjacent 2 foot yard, 2 feet to match an adjacent 3 foot yard, or the required minimum to meet fire and building code to accommodate windows.
 - (ii) Where a ground floor retail use is mandatory (see *Map 4: Required Retail Use Map*), side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

- (iii) Where the adjacent building is greater than 4 stories, or where the adjacent building is built on the lot line, side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
- (c) Rear Yard requirements:
 - (i) Ground floor level may extend to 100% of the lot.
 - (ii) All floor levels above the ground floor shall not extend greater than 70 feet from any right-of-way fronting the subject property.
 - (iii) All floor levels above the ground floor where parking is provided shall not extend greater than 95 feet from any right-of-way fronting the subject property.
 - (iv) For through lots, the ground floor level may cover 100% of the lot with no yards provided.

E) ZONE 5: COMMERCIAL MAIN STREET

The purpose of this zone is to continue the existing pattern of main street type commercial buildings along Newark Avenue while providing for efficient modern new construction and increased density on corner lots.

- 1) Permitted Uses:
 - (a) Residential: permitted everywhere except on the ground floor.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Offices.
 - (d) Art galleries.
 - (e) Live/Work units and home occupations: permitted everywhere except on the ground floor.
 - (f) Restaurants: category one and two.
 - (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices.
 - (j) Child and Adult Day Care Centers.
 - (k) Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment.
 - (l) Museum.
 - (m) House of worship: permitted west of JFK Blvd. only.
 - (n) Any combination of the above.
- 2) Accessory Uses
 - (a) Structured parking and loading.
 - (b) Fences and seating walls.
 - (c) Landscape features.
 - (d) Improved Open Space.
 - (e) Signs.
 - (f) Rooftop Recreation.
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses

- (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive-through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 2500 square feet.
 - (ii) Minimum lot width: 25 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 28
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to: (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)	Maximum Building Height with Bonus "C" (stories)/(feet)	Maximum Building Height with Bonus "B" (stories)/(feet)	Maximum Building Height with Bonus "A" (stories)/(feet)
	0 to 2499	3 / 32'	3 / 34'			
25x100	2500 to 4999	3 / 32'	4 / 44'	5 / 54'	5 / 54'	5 / 54'
50x100	5000 to 7499	3 / 32'	5 / 54'	6 / 64'	6 / 64'	6 / 64'
75x100	7500 to 9500	4 / 42'	6 / 64'	6 / 64'	8 / 85'	8 / 85'
95x100	9501 and up	5 / 52'	6 / 64'	6 / 64'	8 / 85'	12 / 130'

Table 8

- (c) Corner Lot Bonus: Corner lots at selected locations are permitted a height bonus to encourage larger buildings at street corners as indicated in *Map 3: Corner Lot Bonus Map*. To qualify for the additional height, corner lots must have the minimum lot size indicated in Table 8 above for each bonus as well as the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, or a minimum width of 14 feet; whichever is greater. Corner Bonus projects are not required to match adjacent front yard setbacks in Section 5 below, but instead provide a front yard setback from the existing curb-line at the time of adoption sufficient to meet the minimum sidewalk width, or a minimum width of 14 feet; whichever is

greater. Projects must also comply with the minimum floor-to-ceiling height requirements and required building setbacks. The Corner Lot Bonus is applicable to a maximum lot area of 20,000 square feet. All floor levels above the height of adjacent buildings shall be set back from the property line 5 feet or more to provide windows.

6) Yard and Stepback Requirements:

(a) Front Yard Requirements:

- (i) The front yard setback shall be sufficient to provide the minimum sidewalk width as indicated in Map 5: Required Sidewalk Width Map, measured from the ground floor building facade to the existing curb-line at the time of adoption. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.
- (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.

(b) Side Yard Requirements:

- (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

(c) Rear Yard requirements:

- (i) Ground floor level may extend to 100% of the lot.
- (ii) All floor levels above the ground floor up to 5 levels shall not extend greater than 85 feet from any right-of-way fronting the subject property.
- (iii) All floor levels above the 5th floor shall not extend greater than 80 feet from any right-of-way fronting the subject property.
- (iv) All floor levels above the 8th floor shall not extend greater than 75 feet from any right-of-way fronting the subject property.
- (v) All floor levels above the ground floor where parking is provided shall not extend greater than 95 feet from any right-of-way fronting the subject property.
- (vi) For through lots, the ground floor level may cover 100% of the lot with no yards provided.

F) ZONE 6: PRESERVATION

Situated with the original palisaded town of Bergen to the south, and Newark Avenue and Five Corners to the north; the Journal Square 2060 Redevelopment Plan Area has been the site of architectural endeavors for some 350 years. Although many early buildings have been razed in the development of the area, much remains to give us an idea of the area's development: socially, economically, architecturally, historically and culturally. Many resources remain that are locally significant and that still possess integrity of location, design, setting, materials, workmanship, feeling, and association. These buildings and streetscapes give the area a unique sense of place different not experienced elsewhere in the city.

During prior waves of development in the twentieth century, when the area's landscape changed from that of a suburban small town to the city's Central Business District, important buildings were demolished, altered, or moved. Development, especially in the first half of the twentieth century, was sometimes undertaken without examination and appreciation of past cultural and architectural development. This plan seeks to preserve important resources which help to define the unique character of the Journal Square area. This Zone shall preserve a wide variety of buildings characteristic of the area's varied development encompassing the seventeenth century Newkirk / Summit House, the eighteenth and nineteenth century Apple Tree House, Victorian brick townhouse rows, a Classical Revival Terrace on East Street, late 19th century mixed use developments and large early 20th century apartment buildings as well as churches, theatres and office buildings.

The properties that have been selected for Zone 6: Preservation have, paraphrasing the National Register Criteria for Evaluation:

- A. Been associated with events that have made significant contribution to the broad patterns of our history; or
- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

To respect the special character that the Journal Square area has acquired and retained over the past three and one half centuries, the buildings included in this Preservation Zone shall be rehabilitated in accordance with the *Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties* so that future generations can be delighted by the history and architecture of the Journal Square Neighborhood.

1) Permitted Uses:

- (a) All uses at their existing location at the time of adoption of this Plan are permitted.
- (b) New uses shall be considered by the Planning Board on a case by case basis, guided by adjacent uses only. Because historic buildings in this zone are scattered throughout the Plan Area, and are situated in a variety of land use areas, the permitted uses in this zone must be contextual to the site.
- (c) Adaptive re-use conversions to residential or live/work units is permitted.

2) Lot Size and Dimension Requirements

- (a) All existing lots at the time of adoption of this plan are conforming lots.
- (b) Subdivision is not permitted.

3) Height and Bulk Requirements

- (a) The existing building height, floor area, established setbacks and the exterior building envelope as of the adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan.
- (b) Minor alterations in site plan and façade characteristics may be permitted by the Planning Board provided such alterations are consistent with the above standards for this zone. Any changes not consistent with this Plan are cognizable under a deviation application, and will be judged on their merits.

4) Yard and Coverage Requirements

- (a) building coverage: existing
- (b) lot coverage: existing
- (c) front yard: existing
- (d) side yard: existing
- (e) rear yard: existing

5) Building Design Requirements

- (a) All visible façades must retain historic building fabric where practicable. Architectural elements must be fully retained, preserved, restored, or recreated as necessary, based on site, photographic, or period documentation.
- (b) Any rehabilitation is to be done in compliance with the *Secretary of the Interiors Standards and Guidelines for the Treatment of Historic Properties*
- (c) All building must comply with all State or national historic register regulations.
- (d) Parking is not permitted in this zone unless present at the time of adoption of this redevelopment plan.

G) ZONE 7: DECO

The purpose of this zone is to retain and preserve the early twentieth century art-deco facades along Bergen Avenue while providing for vertical additions to these historic facades.

1) Permitted Uses:

- (a) Residential: permitted everywhere except on the ground floor.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices: permitted everywhere except on the ground floor.
- (d) Art galleries.
- (e) Live/Work units and home occupations: permitted everywhere except on the ground floor.
- (f) Restaurants: category one and two.
- (g) Hotels/Bed and Breakfast.
- (h) Medical Offices: permitted everywhere except on the ground floor.
- (i) Child and Adult Day Care Centers: permitted everywhere except on the ground floor.

- (j) Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment. Night clubs and bars are limited to 3000 square feet.
- (k) Museum.
- (l) Any combination of the above.
- 2) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivision is not permitted.
- 3) Height Requirements
 - (a) Maximum building height: 8 stories and 85 feet
 - (b) Building Stepbacks: a 15 foot front setback is required for any additions above the existing deco buildings along Bergen Avenue. A 5 foot setback is required for any additions on Newkirk Street.
- 4) Yard Requirements
 - (a) The maximum permitted building and lot coverage shall be the existing building and lot coverage at the time of adoption of this Plan.
- 5) Building Design Requirements
 - (a) All visible façades must retain historic building fabric where practicable. Architectural elements must be fully retained, preserved, restored, or recreated as necessary, based on site, photographic, or period documentation.
 - (b) Any facade rehabilitation is to be done in compliance with the *Secretary of the Interiors Standards and Guidelines for the Treatment of Historic Properties*
 - (c) The front façade of any roof top addition must include a minimum of 75 % glazing which will minimize any impact the addition may have on the historic resource.
 - (d) Parking is not permitted in this zone.

H) ZONE 8: BERGEN SQUARE

The purpose of this zone is to demarcate and preserve the footprint, block, and lot lines of the original Dutch settlement of Bergen, established in 1661. This zone provides for mixed use development respecting the established height limits and development context found in Bergen Square.

- 1) Permitted Uses:
 - (a) Residential: permitted everywhere except on the ground floor of buildings utilizing a corner height bonus.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Offices.
 - (d) Medical Offices
 - (e) Art galleries.
 - (f) Live/Work units and home occupations.
 - (g) Restaurants: category one and two.
 - (h) Bed and Breakfast.
 - (i) Child and Adult Day Care Centers.

- (j) Night Clubs/Bars: restricted to Bergen Ave, provided no more than 60 decibels is measureable outside the establishment.
- (k) Schools.
- (l) Community Centers.
- (m) Government uses.
- (n) Museum.
- (o) Any combination of the above.
- 2) Accessory Uses
 - (a) Fences and seating walls.
 - (b) Landscape features.
 - (c) Improved Open Space.
 - (d) Signs.
 - (e) Rooftop Recreation.
 - (f) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
 - (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 2500 square feet.
 - (ii) Minimum lot width: 25 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 28
- 5) Density and Height Requirements
 - (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)
	0 to 2499	2 / 22'	3 / 34'
25x100	2500 to 4999	2 / 22'	4 / 44'
50x100	5000 and up	3 / 32'	5 / 54'

Table 10

- (c) Building Stepbacks: To provide light and air to adjacent lots, buildings taller than 4 stories must provide a "stepback" from the property line at the following intervals:

Story Level	Front Stepback	Side Stepback	Rear Stepback
1 to 4	none	none	30'
5	10'	none	30'

Table 11

6) Yard Requirements

(a) Front Yard Requirements:

- (i) Front yard setback shall match the setback of the "Primary Building Façade" (see Article I of the Land Development Ordinance for definition of Primary Building Façade) on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the block front.
- (ii) Where retail is required as indicated in *Map 4: Required Retail Use Map*, the front yard setback from the existing curb-line at the time of adoption shall be sufficient to provide the minimum sidewalk width as depicted in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to curb. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.

(b) Side Yard Requirements:

- (i) Where the adjacent building is less than four stories, the minimum side yard setback shall be 3 feet to match an adjacent 2 foot yard, 2 feet to match an adjacent 3 foot yard, or the required minimum to meet fire and building code to accommodate windows.
- (ii) Where a ground floor retail use is mandatory (see *Map 4: Required Retail Use Map*), side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
- (iii) Where the adjacent building is greater than 4 stories, or when the adjacent building is built on the lot line, side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

(c) Rear Yard Requirements:

- (i) A rear yard contextual to the block and lining up with adjacent buildings as determined by the Planning Board is required.

I) ZONE 9 PARKS

- 1) Parks, plazas, and other types of public open space are the only permitted at grade use in this zone. Underground parking facilities are also permitted beneath the required at grade park

J) ZONE 10 TRANSITION

- 1) All parcels in Zone 10 must be submitted to the City Planning Division as a single site plan application, however construction may be phased.
- 2) A maximum of two buildings may be constructed in Zone 10, with the remainder of the zone developed as open space. One of the two buildings must be on Block 10601 Lot 39 adjacent to the historic Lowes Theatre. The second building must be situated south of the continuation of the Van Reipen Avenue right-of-way and a minimum of 40 feet from the Zone 2 boundary line.
- 3) The as-of-right building height shall be a maximum of 6 stories. This height limitation may be exceeded by constructing the un-built portions of Zone 10 as publicly accessible open space. Surface parking is not permitted. Each square foot of open space made available to the public may be converted to FAR applicable to the two permitted building sites at a ratio of 6:1. For example, 10,000 square feet of land designed as public open space will permit 60,000 additional square feet to be built above the permitted 6 stories. The building site on Block 10601 Lot 39 shall not be restricted in the amount of bonus FAR applied to this site, however any second building shall have a maximum height of 12 stories or 130 feet with applied bonus FAR.
- 4) The site plan for Zone 10 must be in conformity with all design requirements in Chapter VI as well as the required public sidewalk requirements found on Map 5: *Required Sidewalk Width*.

K) ZONE 11 TRANSITION

- 1) All land in Zone 11 must be submitted to the City Planning Board as a single site plan application, however construction may be phased.
- 2) Property in Zone 11 fronting on Summit Avenue, continuing to the east side of the West Street right-of-way and its extension to the south across Block 9604 Lot 11 and Block 10803 Lot 27 may utilize the development regulations of Zone 3 Commercial Center, with the following additional requirements:
 - (a) Summit House Plaza: A 30 foot side yard shall be provided along the southern property line of the Summit House at 510 Summit Avenue, one of the oldest buildings in the State of New Jersey. This yard area must be developed as a pedestrian plaza, and may include seating for restaurant or cafe type uses. Driveway egress only to Summit Avenue is permitted within the required plaza area.
 - (b) A 10 foot yard shall be provided along the eastern property line at the rear of the Summit House.
 - (c) No yard or building setbacks shall be required between any two buildings within Zone 11.
 - (d) Primary driveway entrance and exit must be from West Street.
 - (e) A 24 hour publicly accessible pedestrian easement and paved walkway shall be constructed along the full length of the southern property line of Block 10803 Lot 27 with a minimum width of 20 feet, running along the PATH rail tracks and connecting from Summit Avenue to the Zone 9 Park (see Map 5: *Required Sidewalk Width Map*).

- (f) A building height bonus of 17 stories has been granted for this portion of Zone 11 due to the dedication of land for a public park. The maximum building height is therefore set at 42 stories and 440 feet.
- 3) Property in Zone 11 east of the West Street right-of-way and its extension to the south across Block 9604 Lot 11 and Block 10803 Lot 27 may unitize the development regulations of Zone 4 Neighborhood Mixed Use, with the following additional requirements:
 - (a) A publicly accessible pedestrian easement and paved walkway shall be constructed along the full length of the southern property line of Block 10803 Lot 27 with a minimum width of 20 feet, running along the PATH rail tracks and connecting from Summit Avenue to the Zone 9 Park (see Map 5: Required Sidewalk Width Map).
 - (b) Multi-level parking garages within this portion of Zone 11:
 - (i) shall have a height limit of 5 parking levels and 50 feet.
 - (ii) are required to provide a minimum 10 foot rear yard adjacent to Zone 6 and Zone 9.
 - (iii) shall not be required to provide building step backs.

D) ZONE 12 JOURNAL SQUARE PLAZA EXTENSION ZONE

The purpose of this zone is to provide for high-density, high-rise construction on parcels immediately adjacent to the Journal Square Transportation Center. Given the site's high accessibility to both 24 hour heavy rail and bus transportation systems, this block has the potential to create increased public plaza areas as an extension of the Journal Square Plaza, activated by retail, while also provided housing in a transit accessible location and incentivizing office space.

- 1) All parcels in Zone 12 must be submitted to the City Planning Division as a single site plan application, and must be constructed as a single phase.
- 2) The development standards within Zone 12 shall only apply to all tax parcels within Zone 12 together as a single development site consolidated as a single tax lot. If individual parcels within Zone 12 are developed separately, Zone 3 standards shall apply except for Block 10702, Lot 4, (30 Journal Square former Jersey Journal building) where Zone 6 shall apply.
- 3) The adaptive re-use of the existing 30 Journal Square building to create a public plaza area with shopping and dining amenities is required. The re-use of the existing structure shall permit the partial demolition of interior spaces within the building including side and rear walls, however the front facade facing Sip Avenue shall remain. Alterations to the front facade are permitted however the historic brick structure of the front facade and any cast stone, cornices, or other materials or architectural features that are incorporated into the facade structure shall remain. The historic Jersey Journal sign is also required to remain and be maintained for the life of the project.
- 4) An outdoor public plaza area with a minimum of 14,000 square feet must be provided within any development approval under Zone 12. The plaza areas shall be privately owned and maintained, however must be open to the general public a minimum of 6AM to 10PM throughout the year. The plaza

shall also function as a pedestrian through route from Sip Avenue through the adaptive retail reuse of the Jersey Journal building to Enos Place.

- 5) Permitted Principal Uses for New Construction:
 - (a) Residential, however residential units are not permitted on the ground floor.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Office: Permitted everywhere except ground floor.
 - (d) Art galleries
 - (e) Live/Work units and home occupations: except on the ground floor.
 - (f) Restaurants, category one and two.
 - (g) Hotels/Bed and Breakfast.
 - (h) Theaters.
 - (i) Child/Adult Day Care Centers: except on the ground floor.
 - (j) Night Clubs/Bars.
 - (k) Schools.
 - (l) Community Centers.
 - (m) Museums.
 - (n) Government uses.
 - (o) Any combination of the above
- 6) Accessory Uses:
 - (a) Structured parking and loading
 - (b) Fences and seating walls
 - (c) Landscape features
 - (d) Improved Open Space plazas
 - (e) Signs
 - (f) Rooftop Recreation
 - (g) Sidewalk Cafe: where sidewalk width permits
- 7) Prohibited Uses for New Construction:
 - (a) Surface parking as a principal use.
 - (b) Drive-through facilities pertaining to restaurants, banks, pharmacies, and other drive through uses
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
- 8) Permitted Principal Uses within the adaptive re-use of the existing 30 Journal Square building:
 - (a) Retail Sales
 - (b) Restaurants, category one and two.
 - (c) Night Clubs/Bars.
 - (d) Art galleries
- 9) Prohibited Uses within the adaptive re-use of the existing 30 Journal Square building:
 - (a) Formula Businesses
 - (b) Retail services
 - (c) Office
 - (d) Financial Institutions / Banks

10) Lot Size and Dimension Requirements:

- (a) All existing lots at the time of adoption of this plan are conforming lots for development under Zone 3 or Zone 6 standards as per paragraph 2 above.
- (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: all tax lots within Zone 12 must be consolidated into a single lot.

11) Maximum Floor Area Ratio (FAR): 20

- (a) The Floor Area Ratio is inclusive of all built structures at or above grade including, but not limited to parking decks, lobbies, hallways, building core, common areas, etc.
- (b) Floor Area Bonus for office use: To encourage development of office space within mixed use buildings, up to 4 additional floors may be added to the building base or tower for office use only, and such floor area shall be in addition to the maximum 20 FAR.

12) Yard Requirements:

- (a) Front Yard Requirements:
 - (i) Front yard setbacks along Enos Place and Newkirk Street shall be sufficient to provide a minimum sidewalk width of 15 feet.
 - (ii) The existing sidewalk width along Sip Avenue shall remain.
- (b) Side and Rear Yard Requirements: not required.

1) Maximum Permitted Building Coverage: 32,000 square feet.

2) Permitted Building Envelop:

The permitted building envelop shall be composed of four separate elements with the following height, coverage, and design requirements:

- (a) Adaptive re-use of the existing 30 Journal Square building:
 - (i) Maximum Building Coverage: existing building coverage of 30 Journal Square.
 - (ii) Maximum Building Height: existing building height of 30 Journal Square
 - (iii) All building design and materials as well as surface treatments utilized in the adaptive re-use of the existing 30 Journal Square building shall conform to the Zone 12 Design Appendix section of this redevelopment plan.
 - (iv) Minimum retail space: 5,000 square feet.
 - (v) Percent of building material reused from existing structures: 10% (such as bricks, steel, tiles, etc).
 - (vi) Portions of this historic 30 Journal Square building are required to remain in place. For example, partial floor plates, partial stairs, partial walls, structural framing members, etc.
 - (vii) Numerous other building elements such as doors, window frames, fixtures, etc shall be reused and/or repurposed in the plaza design.
- (b) Required Outdoor Plaza Area:
 - (i) Minimum Lot Coverage: 14,000 square feet.
 - (ii) Plaza area must be open to the sky.

- (iii) Plaza area must provide pedestrian access to both Sip Avenue through the adaptive reuse of the Jersey Journal building as well as to Enos Place.
- (iv) All materials and design utilized in the plaza areas shall conform to the Zone 12 Design Appendix section of this redevelopment plan.
- (c) Tower Base:
 - (i) Maximum Building Coverage: 27,000 square feet
 - (ii) Maximum Building Height: 65 feet, however up to 4 additional floors may be added to the maximum height if such bonus floors are restricted to office use.
 - (iii) A contextual height design feature shall mark the average building height of adjacent structures within the facade design of the tower podium.
 - (iv) Tower Base must be situated so as to provide the required outdoor plaza areas between the base and the existing 30 Journal Square building.
 - (v) Tower base shall incorporate outdoor recreation open space to building occupants on the roof level of the tower base not less than 12,000 square feet.
 - (vi) Tower base must provide retail frontage and access along both Enos Place and Newkirk Street.
 - (vii) Minimum ground floor to ceiling height: 18 feet.
 - (viii) Minimum ground floor facade glazing: 75%
- (d) Tower:
 - (i) Maximum Building Coverage: 12,900 square feet.
 - (ii) Maximum Building Height: no height limit.
 - (iii) Minimum Building Stepback from Enos Place and Newkirk Street: 25 feet.
 - (iv) Minimum Building Stepback from interior lot lines: 25 feet.
- 3) Driveway Access Requirements: all access to loading and parking areas shall be from Newkirk Street a minimum of 50 feet from a street corner.
 - (a) curb returns into the sidewalk are strictly prohibited. A drop apron with a steep incline to sidewalk grade shall be utilized.
 - (b) Maximum width of curb cut to service both loading areas and parking access: 68 feet.
 - (c) loading and parking entry into the building shall be set back into the building or design in a manner to provide a site triangle for exiting vehicles to see pedestrians walking along the Newkirk sidewalk.

XI) DEFINITIONS

- A) All definitions shall refer to the Jersey City Land Development Ordinance.

XII) MAPS

- 1) Boundary Map
- 2) Zone Districts Map
- 3) Corner Lot Bonus Map

- 4) Required Retail Use Map
- 5) Sidewalk Width Map
- 6) Circulation Map
- 7) **Redevelopment and Acquisition**

XIII) APPENDIX

- 1) **ZONE 12 DESIGN APPENDIX**

JOURNAL SQUARE 2060

MAP 1: BOUNDARY MAP


JUNE 6, 2014

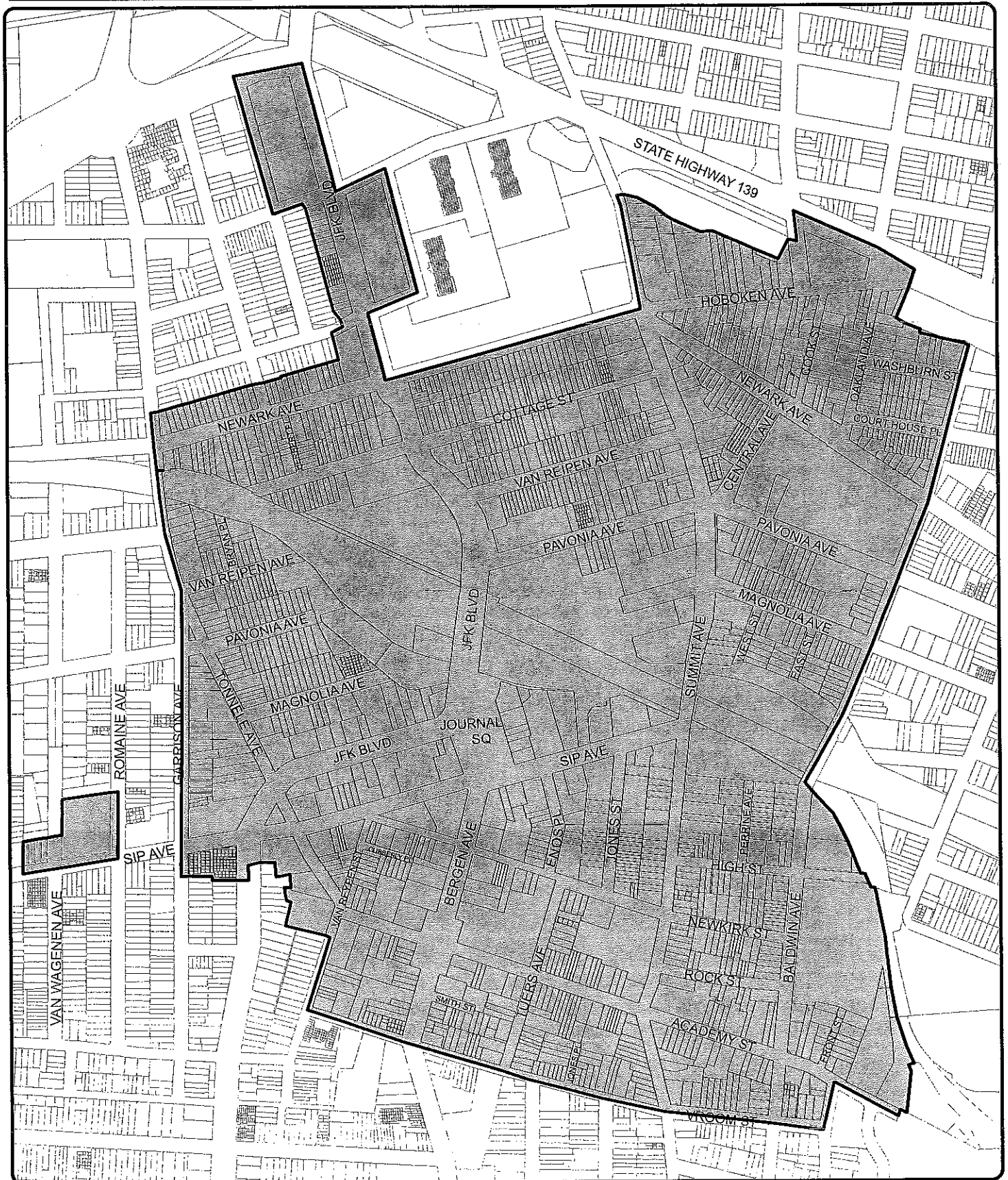
1 inch = 520 feet

0 250 500 1,000 Feet



Boundary

 Redevelopment Plan Boundary



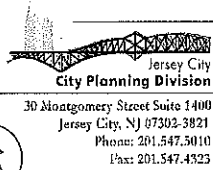
JOURNAL SQUARE 2060

MAP 2: ZONE DISTRICTS MAP

JANUARY 6, 2016

1 inch = 520 feet

0 250 500 1,000 Feet



Zone Districts

Zone 1: Core

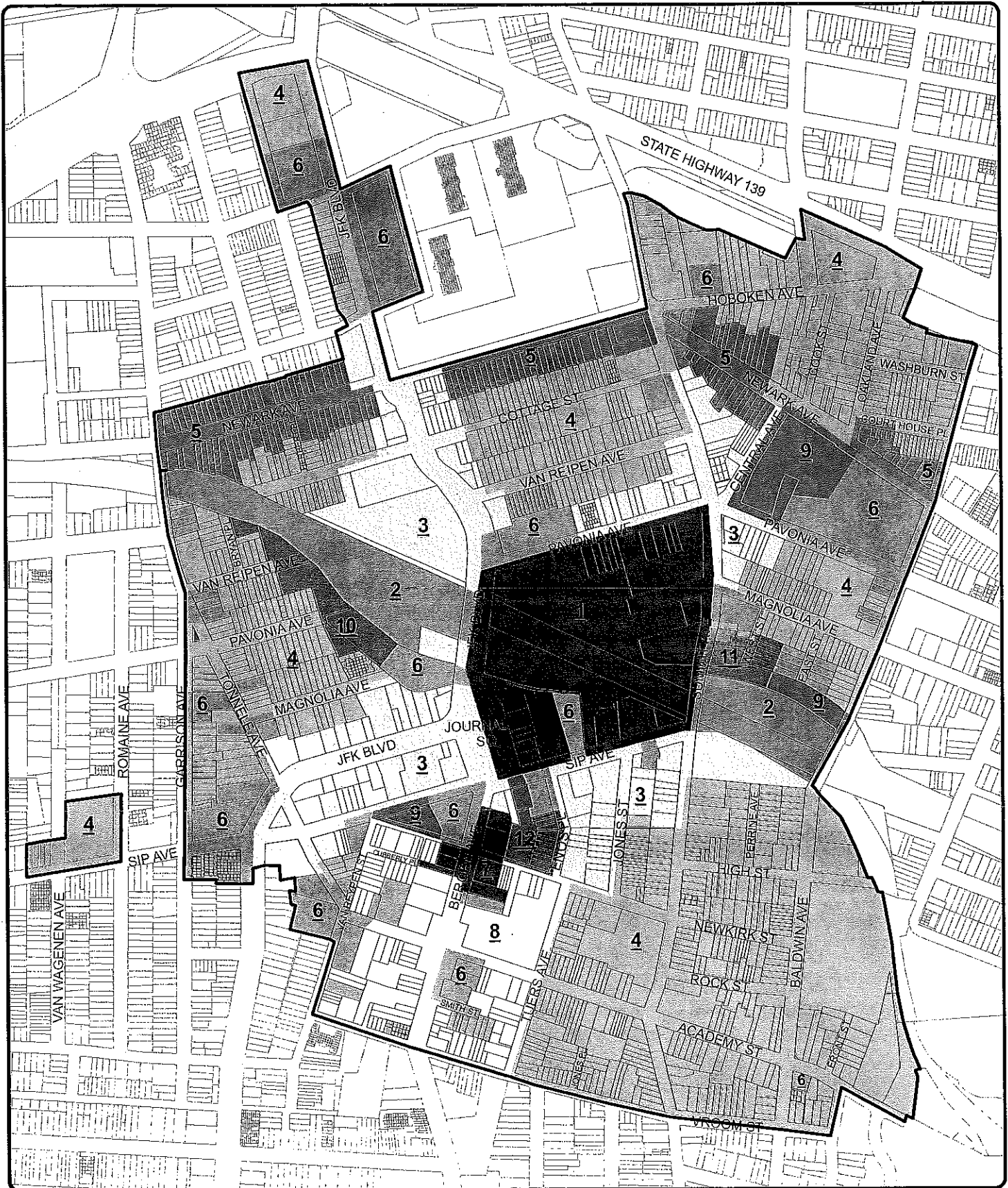
Zone 2: Air-Rights

Zone 3: Commercial Center

Zone 4: Neighborhood Mixed Use

Zone 5: Commercial Main Street

Zone 6: Preservation
Zone 7: Deco
Zone 8: Bergen Square
Zone 9: Parks
Site Specific Districts:
Zone 10, 11, 12



JOURNAL SQUARE 2060

MAP 3: CORNER LOT BONUS MAP

JUNE 6, 2014

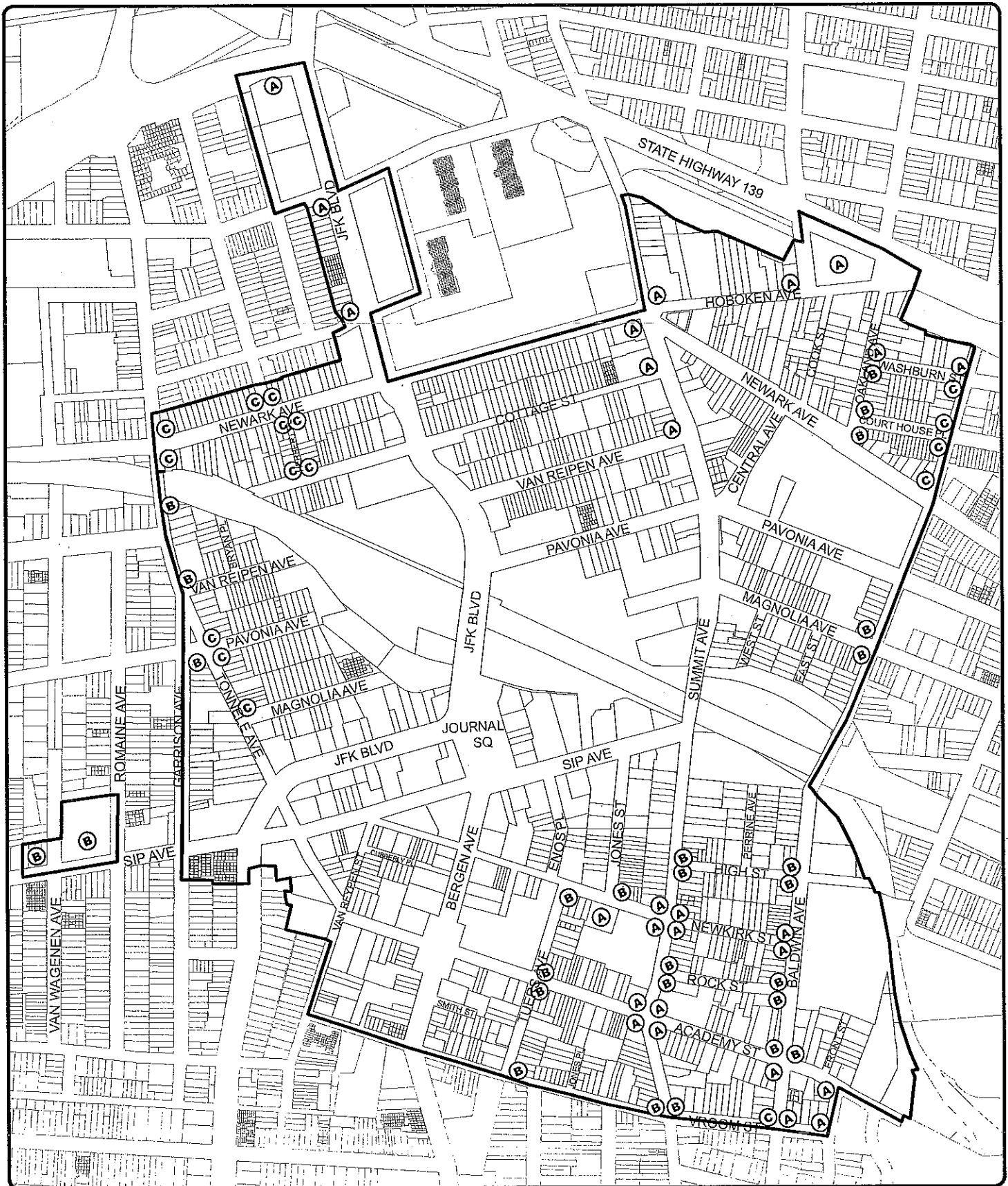
1 inch = 520 feet

0 250 500 1,000 Feet



Corner Lot Bonus Locations

- (A) A Bonus Corner
- (B) B Bonus Corner
- (C) C Bonus Corner



JOURNAL SQUARE 2060

MAP 4: REQUIRED RETAIL USE MAP

JUNE 6, 2014

1 inch = 520 feet

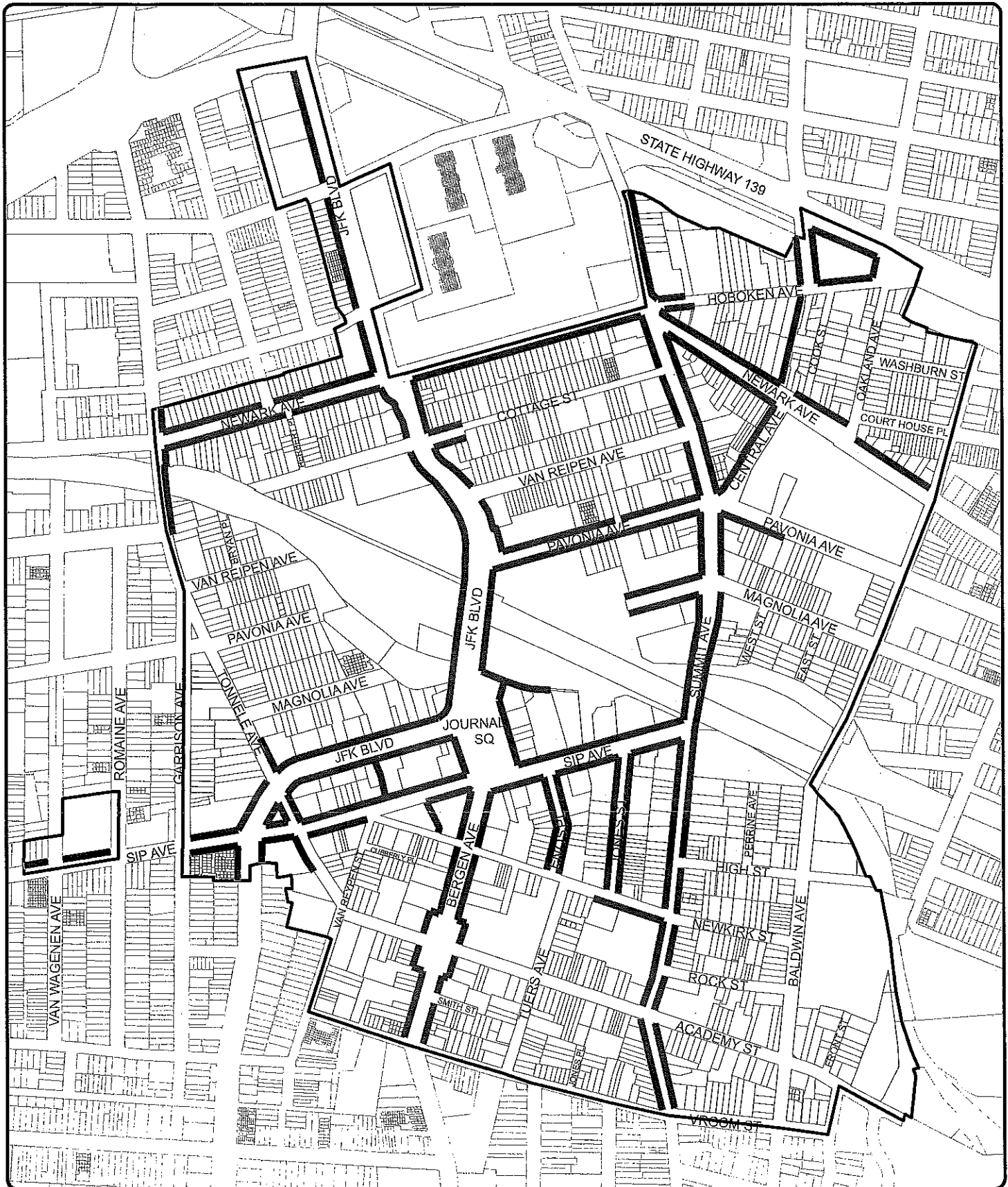
0 250 500 1,000 Feet



Ground Floor Use

— Required Retail

*See section IX) Required Land Use Regulations



JOURNAL SQUARE 2060

MAP 5: REQUIRED SIDEWALK WIDTH MAP

JUNE 6, 2014

1 inch = 520 feet

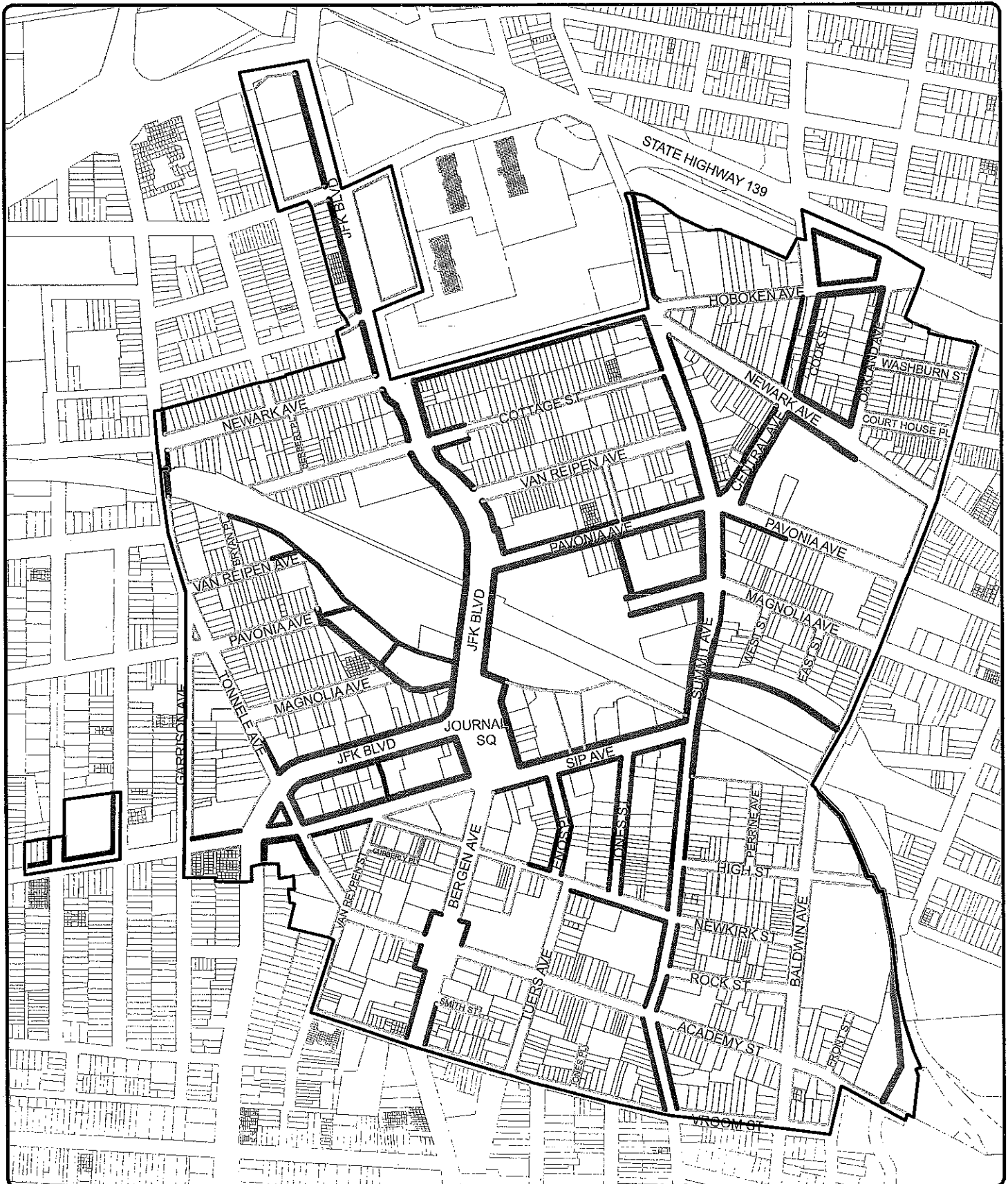
0 250 500 1,000 Feet



Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

Sidewalk Width Requirements

- 20 Foot Minimum Sidewalk Width
- 15 Foot Minimum Sidewalk Width
- Prevailing Width (Minimum of 8')



JOURNAL SQUARE 2060

MAP 6: CIRCULATION MAP

JUNE 6, 2014

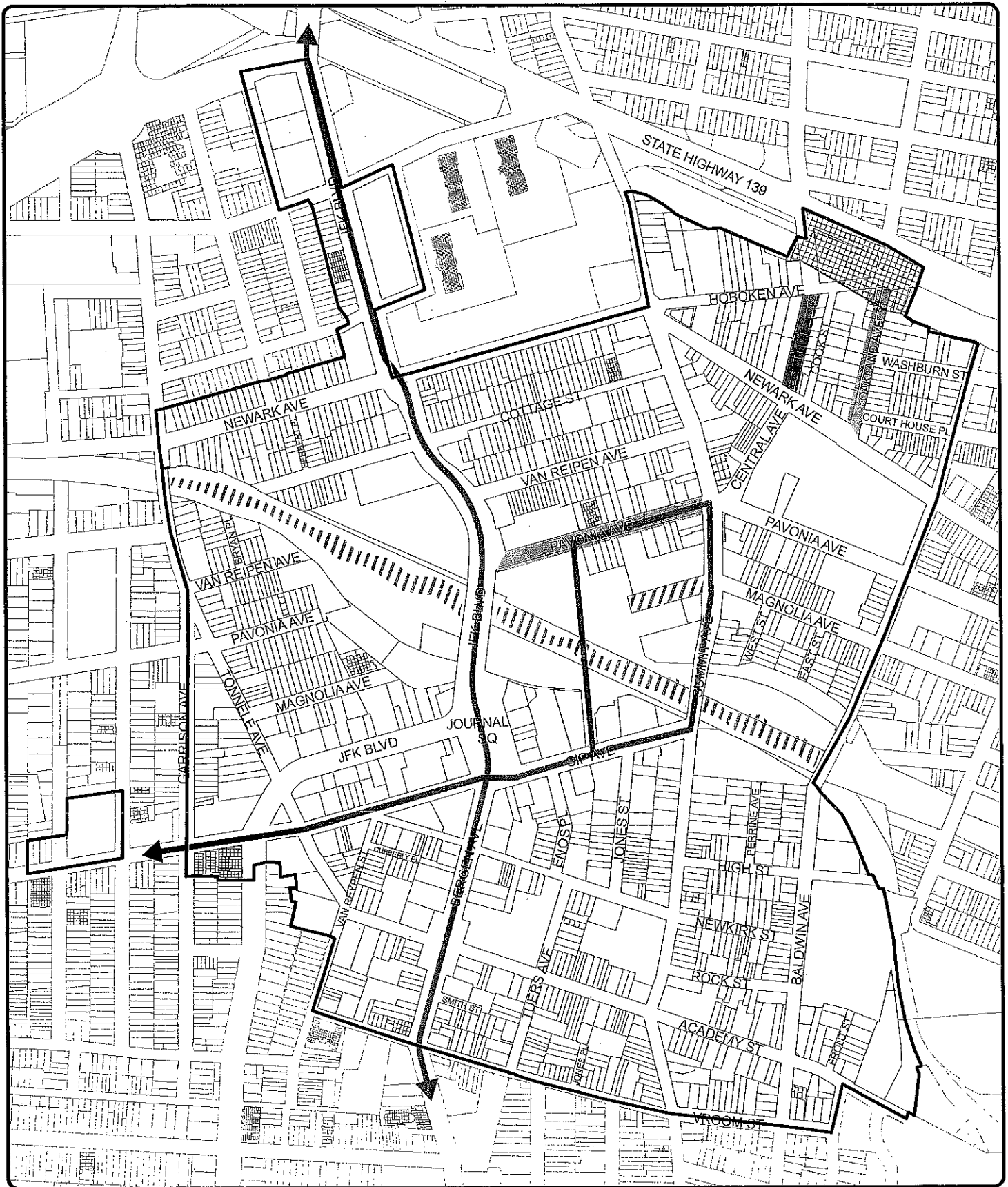
1 inch = 520 feet

0 250 500 1,000 Feet



New Circulation Elements

- Proposed Streetcar
- Proposed Bus Rapid Transit
- Street Vacation
- Central Avenue New Street Connector
- Pedestrian Plaza (exact boundaries to be determined)
- Right-of-Way Preservation
- Street Widening



JOURNAL SQUARE 2060

MAP 7: REDEVELOPMENT AND ACQUISITION

MAY 2, 2016

1 inch = 520 feet

0 250 500 1,000 Feet

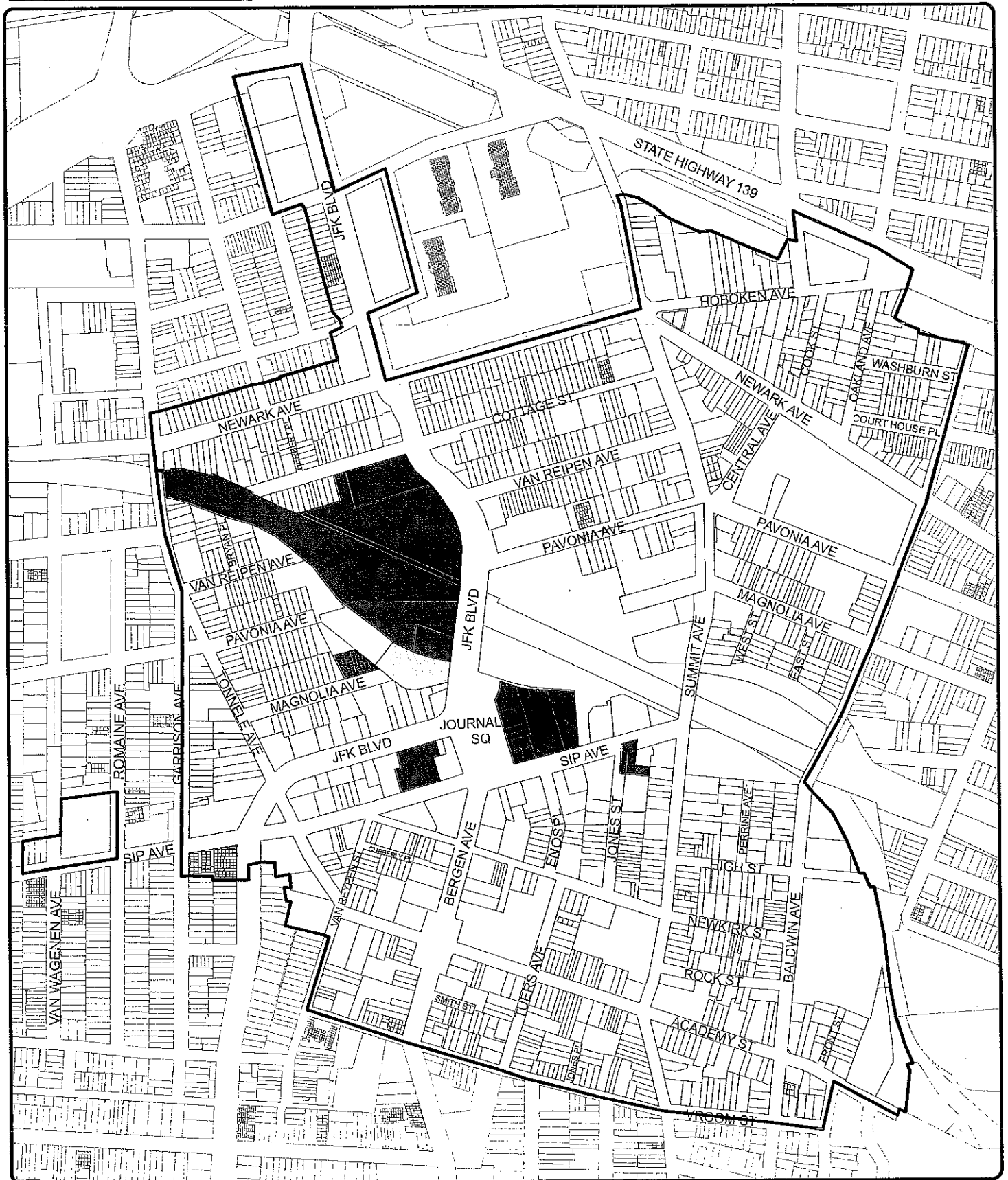


Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

Areas In Need of Redevelopment

Not to be Acquired

May be Acquired



City Clerk File No. Ord . 16.098

Agenda No. 3.H 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.098

**TITLE: ORDINANCE AUTHORIZING A SEVENTH AMENDMENT TO THE CITY'S LEASE
WITH JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES FOR ONE
JOURNAL SQUARE PLAZA, BLOCK 586.5, LOT PLOT B TO AMEND THE TERM.**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (City) needs office space for various Departments; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance authorize a lease of real property if it determines it is needed for municipal purposes; and

WHEREAS, Journal Square Plaza Urban Renewal Associates is the owner of Block 586.5, Lot Plot B, more commonly known by the street address as One Journal Square Plaza (property); and

WHEREAS, by the adoption of Ordinance 05-015, the City approved a lease with Journal Square Plaza Urban Renewal Associates (Landlord) for ten (10) years for approximately 28,202 square feet of space at the Property, consisting of the entire 2nd and 3rd floors of the Property; and

WHEREAS, the lease expired on May 31, 2015; and

WHEREAS, the rent for the space was \$21.25 per square foot or \$599,292.50 per year for the last five (5) years of the term of the lease; and

WHEREAS, by the adoption of Ordinance 06-008 the parties amended the lease, effective March 1, 2006, and increased the Premises by 3,200 square feet, located on the 4th floor; and

WHEREAS, by the adoption of Ordinance 12-076, the parties amended the lease, effective June 1, 2012, to add the remainder of the 4th floor, which increases the total leased premises consisting of all of the 2nd, 3rd and 4th floors of property to 42,326 square feet; and

WHEREAS, the total annual rent for the entire 42,326 square feet, shall be \$787,456.50 each year and;

WHEREAS, Ordinance 12-124, adopted on October 10, 2012 a third amendment to amend the lease to include as additional rent the construction costs of improvements to be performed by the Landlord; and

**ORDINANCE AUTHORIZING A SEVENTH AMENDMENT TO THE CITY'S LEASE
WITH JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES FOR ONE
JOURNAL SQUARE PLAZA, BLOCK 586.5 LOT B TO AMEND THE TERM.**

WHEREAS, by adoption of Ordinance 13-106 a forth the parties amended the lease to include the Architecture fees; and

WHEREAS, the 3rd floor consisting of 14,101 sq. ft. has offices for the Divisions of Information Technology, Accounts & Control, Treasury, Pension and Payroll with a term from June 1, 2015 through October 31, 2015; and

WHEREAS, the 4th floor consisting of 14,101 sq. ft. has the Police Headquarters with a term from June 1, 2015 to May 31, 2016 with the City's right to terminate said Extended Term upon ninety (90) days prior written notice to Landlord; and

WHEREAS, Journal Square Plaza Urban Renewal Associates is willing to extend the term of the Lease for the 3rd floor of the Premises to October 31, 2015 and for the 4th Floor of the Premises from June 1, 2015 to May 31, 2016 subject to the terms and conditions herein contained; and

WHEREAS, the rent for the 3rd and 4th floors of 28,202 sq. ft. shall be \$19.40 per sq. ft. for a total of \$45,593.24 monthly (\$22,796.62 for each floor) or \$547,118.88 annually.

WHEREAS, funds will be made available in the CY 2015 temporary, permanent and future year budgets in the Municipal Rent Account # 01-201-31-432-304.

**ORDINANCE AUTHORIZING A SEVENTH AMENDMENT TO THE CITY'S LEASE
WITH JOURNAL SQUARE PLAZA, BLOCK 586.5 LOT PLOT B TO AMEND THE
TERM**

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City
that:

1. The Mayor or business Administrator is authorized to execute a Fifth Amendment to the Lease Agreement with Journal Square Plaza Urban Renewal Associates to amend the term and square footage space.
2. The Fifth Amendment to the Lease shall be in substantially in the form attached, subject to such modifications as may be deemed necessary or appropriate by the Business Administrator or Corporation Counsel.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
5. This Ordinance shall take effect at the time and in the manners provided by law.
6. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by italic.

I hereby certify that there are sufficient funds available in Municipal Rent Account # 01-201-32-432- 304 for P.O. # _____.

Donna Mauer, Chief Financial Officer

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐


ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

Ordinance authorizing a seventh amendment to the City's Lease with Journal Square Plaza Urban Renewal Associates for One Journal Square Plaza Block 586.5, Lot Plot B to amend the term.

Initiator

Department/Division	Administration	Real Estate
Name /Title	Dominick Pandolfo 	Supervising Administrative Analyst
Phone/E-Mail	(201) 547-4296	Dominick@jenj.org

Note initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance/Resolution Purpose

To provide office space for City employees who work at 1 Journal Square. The term of this Lease Agreement will be a month to month lease to take effect as of June 1, 2016 for 4th floor Police Headquarters until renovations for the new Police Headquarters at Marion Gardens is completed and the 3rd floor for Pension, Accounts & Control and Pension until renovations at 394 Central Avenue is completed. The rent of is \$45,593.24a monthly and \$547,118.88 yearly. The City shall also have the right to terminate the lease without cause by providing thirty (30) days written notice to the Landlord.

I certify that all the facts presented herein are accurate.



Signature of Department Director

5/12/16

Date

**SEVENTH AMENDMENT TO LEASE BETWEEN JOURNAL SQUARE PLAZA
URBAN RENEWAL ASSOCIATES [LANDLORD] AND THE CITY OF JERSEY CITY
[TENANT]**

WHEREAS, by Lease Agreement dated March, 2005, [the Lease] Landlord leased certain Premises, including the entire second and third floors of the building and certain outside parking spaces commonly known as One Journal Square Plaza, Jersey City, New Jersey [the Premises] to Tenant; and

WHEREAS, by First Amendment to Lease effective as of March 1, 2006, the Lease was amended so as to add a portion of the 4th floor to the Premises consisting of an additional 3,200 square feet of space, which increased the Tenant's Rent and share of Additional Rent, as more particularly set forth therein; and

WHEREAS, by Second Amendment to Lease effective as of June 1, 2012, the Lease was amended so as to add the remaining 10,900 square feet of the 4th floor to the Premises, resulting in the entirety of the Second, Third and Fourth Floors as constituting the Premises, together with a kiosk area consisting of approximately 10 feet x 10 feet in the main floor lobby of the building in which the Premises are located, resulting in a total of 42,326 square feet and an annual Rent in the amount of \$787,456.50; and

WHEREAS, by Third Amendment to Lease effective June 1, 2012, Landlord constructed certain improvements to the Premises for the benefit of Tenant; and

WHEREAS, by Fourth Amendment to Lease, the costs for the Third Amendment improvements were increased to include architect fees; and

WHEREAS, effective April 1st, 2014, the 2nd floor was removed from the Premises, resulting in a reduction of the Annual Rent, a reduction in Tenant's "proportionate share" for Additional Rent, as defined in Section 2.02(1)(iii) to 53.33% and a reduction in the number of parking spaces allocated to Tenant to 32; and

WHEREAS, by Fifth Amendment to Lease, the term of the Lease for the 3rd floor Premises containing 14,101 sq. ft., occupied by the Divisions of Information, Technology, Accounts and Control, Treasury, Pension and Payroll was extended from June 1, 2015 to October 31, 2015 and the Lease for the 4th floor Premises containing 14,101 sq. ft. occupied by the Police Headquarters was extended for an additional one (1) year from June 1, 2015 to May 31, 2016 with the right to terminate said Extended Term upon ninety (90) days prior written notice to Landlord; and

WHEREAS, by Sixth Amendment to Lease the term of the Lease for the 3rd Floor Premises containing 14,101 sq. Ft. occupied by the Divisions of Information, Technology, Accounts and Control, Treasury, Pension and Payroll was extended from October 31, 2015 on a month to month basis with the right to terminate upon 30 days prior written notice by either party; and

WHEREAS, Tenant is desirous of extending the term of the Lease for the 4th floor Premises and kiosk area on a month-to month basis commencing June 1, 2016 with the right to terminate upon 30 days prior written notice by either party; and

WHEREAS, the rent for the 3rd and 4th floors containing 28,202 sq. ft. in aggregate and the kiosk area shall be \$19.40 per sq. ft. monthly for a total of \$45,593.24 monthly (\$22,796.62 for each floor) or \$547,118.88 annually,

NOW THEREFORE, in consideration of the covenants and conditions herein contained, the parties hereto agree as follows:

1. The term of the Lease for the 4th floor Premises containing 14,101 sq.ft. and the kiosk area occupied by Police Headquarters is extended for one (1) additional month commencing June 1, 2016 and from month-to-month thereafter with the right by either party to terminate upon 30 days prior written notice.
3. The aggregate basic rent for the 3rd and 4th floors (containing a total of 28,202 sq. ft.) shall continue to be \$19.40 per sq. ft. monthly for a total of \$45,593.24 per month (\$22,796.62 for each floor) or \$547,118.88 annually.
4. Upon termination of the term of the Lease for the 3rd floor in accordance with the provisions contained herein: a) Tenant's "proportionate share" as defined in Section 2.02 (a) (iii) shall be reduced to 26.666% and b) the number of parking spaces allocated to Tenant shall be reduced to 16 designated interior plus 6 designated exterior parking spaces.
5. Upon termination of the term of the Lease for the 4th floor in accordance with the provisions contained herein: a) Tenant's "proportionate share" as defined in Section 2.02 (a) (iii) shall be reduced to 26.666%; b) the number of parking spaces allocated to Tenant shall be reduced to 16 designated exterior parking spaces; and c) the kiosk area shall be removed from Lease.
6. This Seventh Amendment shall become effective only after execution hereof by both Landlord and Tenant.
7. Except as herein modified, all of the terms and conditions of the Lease and the First, Second, Third, Fourth, Fifth and Sixth Amendments to Lease including without limitation, the obligation of Tenant to pay Additional Rent as defined in Paragraph 2.02 of the Lease shall remain in full force and effect.

WITNESS:

WITNESS:

City Clerk

Landlord:

Journal Square Plaza Urban Renewal Associates
By: JSQ REALTY, LLC, General Partner

By: _____
Joseph A. Panepinto, Managing Member

Dated: _____

Tenant:
City of Jersey City

By: _____
Business Administrator

Dated: _____